



**York University Faculty
Association
Policies, Rules and
Procedures
August 2017**

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Rules and Procedures for the Executive Committee

According to the YUFA Constitution, *Article 3.4 Order*, the proceedings of the Association should be conducted in conformity with the rules and procedures of the Association. In cases not covered by these rules and procedures, then we conform to *Bourinot's Rules of Order* (as revised by J.G. Dubroy – which is out of print and is not the most recent version of Bourinot).

However, the rules and procedures that have been practiced over the years have not been written in a single document that is easily accessible to all YUFA members.

Further, the rules and procedures have been codified by past practice, institutionalized in the memories of YUFA Executive members and staff, and confirmed through legal opinion.

It is prudent for YUFA to clearly document the rules and procedures that are in effect for the organization.

This document lays out those rules and specifically situates them within the YUFA Executive Committee.

Mandate of the Executive Committee (YUFA Constitution Article 5.1)

The Executive Committee adheres to the YUFA (the Association) Constitution and By-Laws. Executive's mandate is to be responsible for "the affairs and activities of the Association."

- Develops policies and programs.
- Approves the agenda for Council meetings.
- Considers motions and recommendations for Stewards' Council.
- Carries out the decisions of the Stewards' Council and General meetings between meetings of those bodies.
- Enacts and amends the By-Laws of the Association, subject to approval by the Stewards' Council and providing they do not conflict with the Constitution.
- Votes to initiate policy grievances.
- Creates standing and ad hoc committees around the portfolios of particular Officers or around issues of concern to YUFA members. Defines the composition and terms of reference for each committee and shall appoint its members. The composition, terms of reference, and membership of each subcommittee shall be subject to ratification by Stewards' Council (Constitution Article 7.1)
- Determines primary negotiating positions and submits to Stewards' Council for approval (Constitution Article 9).
- Appoints between five and six members of the bargaining unit to the collective bargaining team (By-Law 2a).

Membership (Constitution Article 5.2)

- YUFA Officers (President, Vice President Internal, Vice President External, two Chief Stewards, Communications Officer, two Equity Officers, Treasurer and Recording Secretary).
- The Past President.
- A member of the organization recognized as the representative for Associate members, currently the Association of Retired Faculty and Librarians.

- The two representatives elected by Stewards' Council according to Article 6.2 of the Constitution.
- YUFA staff are ex-officio members of Council (Constitution Article 3.3).

Meeting Frequency (Constitution Article 5.3)

Regularly scheduled meetings shall be held at least twelve (12) times during the academic year. Usually, the Executive Committee meets every other week from September to June. Unscheduled meetings may be called by the President at the request of five members of the Executive Committee upon forty-eight (48) hours' notice.

Agendas/Minutes

Agendas and minutes are circulated in advance of each meeting. YUFA members are permitted to attend Executive meetings as guests.

Conduct of Meetings

The Chair shall conduct the proceedings in conformity with the rules and procedures enacted by the Association. In cases not covered by the rules and procedures of the Association, Executive uses *Bourinot's Rules of Order* as revised by J.G. Dubroy as a guide for process at Executive meetings.`

Debates and Votes

1. Participation in Debate by Executive Members and Non-Members

- Only voting Executive members may participate in the debate on an issue.
- On occasion, Executive may wish to hear from persons who are not members of Executive. The Chair may extend an invitation to a non-member to speak to Executive. Executive itself may, by majority resolution, agree to hear non-members on a particular subject for the purpose of adding new information within their expertise.

2. Voting

- Only voting members may vote in Executive.
- Votes must be cast in person at an Executive meeting unless an electronic vote is called outside of a scheduled Executive meeting (see 2f below).
- When the Chair is satisfied that the debate on an item has covered a full range of issues, or when a motion to call the question has been approved, the Chair shall call the question.
- When a question has been called, no motion can be made and no other intervention is permitted until the tally is completed and the results announced.
- Normally voting at Executive meetings is conducted by a show of hands.
- When a vote on matters that are time-sensitive and not complex must be held outside of a scheduled Executive meeting, votes will be submitted to an Executive Associate/Staff Representative who collects the votes electronically. The timeframe for voting may vary depending on circumstances but must be specified when a vote is called.

3. Votes by the Chair

The Chair is a voting member of Executive and can vote on all motions. The Chair holds the prerogative of casting a second, and deciding, vote in the event of a tie.

4. Abstentions Not Recorded

Members may choose not to vote. Abstentions are not votes, are not normally recorded, and are not factored in the tallying of votes (although members who are present and who choose not to vote are counted as part of quorum). However, members may have their abstention noted for the record.

5. Reconsideration of Business

When an issue is decided at a meeting of Executive, it may not be reconsidered during the same meeting. Any subsequent reconsideration must conform to the notice provisions of these rules.

Conduct of Proceedings

1. Quorum

- a) Executive may convene and conduct business only when at least six (6) of the members are present. If during a duly constituted meeting the Chair observes (independently or at the request of a member) that quorum is no longer present, the Chair may adjourn the meeting. If the meeting continues, motions cannot be proposed.
- b) At a duly constituted meeting (i.e., where quorum is met), motions are approved or defeated based on a simple majority vote by the voting members who are present, with the exception of a motion to put the question (see 1d below).
- c) A vote on motions that is held outside of a scheduled Executive meeting is subject to a similar quorum. When quorum is met, motions are approved or defeated based on a simple majority vote by the voting members who actually vote. Email voting for motions must be documented and affirmed at the next Executive meeting.
- d) A $\frac{2}{3}$ majority is required when a motion is made to put the question. If the motion is passed by a $\frac{2}{3}$ majority, then the main motion must be put immediately. If the “put the question” motion fails to receive a $\frac{2}{3}$ majority, then debate continues and further amendments are in order.

2. Speakers Address the Chair

- a) All matters coming before Executive are to be addressed to the Chair who will ensure that Executive’s business is conducted in an orderly manner consistent with the principles and procedures outlined in this document.
- b) No item of business is on the floor of Executive unless it has been recognized by the Chair.

3. Decorum

Decorum is to be observed at all Executive meetings. If a member or an observer does not respect the Chair's request to observe decorum, the Chair may require that the member(s) or observer(s) leave the meeting.

4. Motions and Rationales

All decisions are to be framed in the form of a motion and must be accompanied by a rationale which explains the import of the motion, outlines its intended consequences, and reports on the consultations undertaken in its preparation.

5. Notices of Motions

- a) Motions intended for Executive's consideration at its regular meetings must be submitted to the Chair for consideration prior to the Executive meeting.
- b) Motions intended for Executive's consideration at a special meeting of Executive must be submitted to the Chair twenty-four (24) hours prior to the Executive special meeting.
- c) No notice is required for a procedural motion.

6. Determining that Motions are in Order

- a) The Chair is responsible for determining if motions submitted for Executive's consideration in advance of regular or special meetings of Executive are in order.
- b) All motions circulated with the agenda are deemed to be in order.
- c) All rulings that a motion is out of order will be reported to Executive by the Chair together with a rationale for the ruling. Any such ruling is subject to challenge.
- d) Motions for which notice has not been given must normally be delivered to the Chair in writing for a determination of whether a motion is in order.
- e) No motion or other intervention is in order when a vote is in progress.

7. Motions that are Debatable

The following motions are debatable:

- a) substantive motions;
- b) amendments to substantive motions;
- c) sub-amendments to amendments, as above;
- d) referral (debate is limited to the issues raised by referral; see #15d below);
- e) changes to the order of the agenda;
- f) rescinding previous actions; and
- g) limitations on the duration of a debate or on the length of time members may speak.

8. Debating a Motion

- a) Members may speak to any debatable motion but normally may speak only once to each such motion and for a maximum of 5 minutes. Exceptions are as follows:
 - i) the mover of a motion is entitled to speak first and last; and
 - ii) the mover, or an expert designated by the mover, may respond to questions as necessary or clarify material issues.

In addition, the Chair has the discretion to allow Executive members to speak more than once as long as no one person is allowed to dominate the meeting and the time available for debate is shared fairly.

- b) The Chair may rule out of order any remarks which are not relevant to the issue before Executive.

9. Dividing a Motion

- a) If a motion raises more than one issue for decision, the Chair may, with the agreement of the mover and seconder, divide the motion in a manner which will help Executive deal effectively with the issues.
- b) A motion may also be divided by means of a procedural motion to do so.
- c) A motion to divide shall take precedence over the motion under debate.
- d) There is no debate on a motion to divide.

10. Amendments

- a) An amendment to a motion may be moved without notice during debate on the main motion.
- b) Normally, the mover of an amendment should provide a written version of the amendment to the Chair.
- c) If a motion to amend is seconded and recognized by the Chair to be in order, discussion will be limited to the issues raised by the amendment until the amendment is resolved.
- d) Only one amendment to a motion may be on the floor at one time.

- e) Each amendment must be resolved before another amendment or the main motion may be considered.

11. Scope of Amendments

- a) An amendment is designed to alter the main motion without substantially changing its intent and shall be strictly relevant to the business under consideration.
- b) The Chair shall rule out of order any amendment which would negate or substantially alter the main motion.

12. Sub-Amendments

- a) A sub-amendment is intended to amend an amendment under consideration.
- b) A sub-amendment can only be moved when an amendment is on the floor.
- c) A sub-amendment is out of order if it has the effect of negating the amendment or altering the amendment to such an extent that it significantly frustrates the purpose of the amendment.
- d) If a sub-amendment is seconded and recognized by the Chair to be in order, discussion will be limited to the issues raised by the sub-amendment until such time as the sub-amendment is resolved.
- e) Only one sub-amendment may be on the floor at one time and must be resolved before another may be considered.
- f) Sub-amendments must be resolved before the amendment can be resolved.
- g) Normally, the mover of a sub-amendment should provide a written version of the sub-amendment to the Chair.

13. Friendly Amendments

- a) During the course of debate, the mover and seconder may receive suggestions from the floor about the wording of motions. If the mover and seconder of a motion agree that the intent of the motion would be clarified by a change of wording, they may, with the agreement of the Chair, alter the wording of the motion accordingly.
- b) Any proposed change to the wording which significantly alters the intent of a motion is not a friendly amendment and may be ruled as such by the Chair.
- c) Normally, the mover of a friendly amendment should provide a written version of the friendly amendment to the Chair.

14. Resolving a Motion, Amendment or Sub-Amendment

- a) Motions, amendments or sub-amendments which are moved, seconded and recognized by the Chair to be on the floor of Executive for discussion must be brought to a vote unless debate is ended by an intervening or overriding procedural motion.
- b) A motion may be withdrawn by the mover and seconder if no member objects. If there is an objection the question of withdrawal should be put to a vote.

c) The Chair may request that the mover and seconder withdraw a motion if it appears that further debate would not be in the best interests of Executive.

15. Procedural Motions

a) Most procedural motions are not debatable.

b) If a non-debatable motion has been moved, the Chair may invite the mover of the motion to explain in brief the reason for the motion.

c) Procedural motions require a mover and seconder and take precedence over motions that are under debate at the time they are moved.

d) Motion to refer (debatable in part):

i) Although procedural in nature, a motion to refer has substantive elements that are debatable. In particular, a motion to refer must identify the person or body to whom the reference is made.

ii) A motion to refer is in order when a motion is on the floor of Executive for discussion. A motion to refer is not in order when an amendment or sub-amendment is on the floor.

iii) When a motion to refer is on the floor, only issues relating to the nature of the proposed referral may be debated (e.g., to whom the reference is made, why the reference is being made, when a report back should be expected, etc.)

iv) If a motion to refer is defeated, no further motion to refer may be considered with respect to the specific motion being considered unless, in the opinion of the Chair, significant new information has been provided in the debate which would warrant the re-consideration of a referral.

e) Motion to put the question:

i) A motion to put the question may be considered when a main motion, amendment, sub-amendment or a debatable procedural motion is on the floor.

ii) If a motion to put the question is resolved in the affirmative, the Chair invites the mover of the main motion to make concluding remarks and then puts the question to Executive.

iii) If a motion to put the question is resolved in the negative, debate on the main motion resumes.

iv) No further motion to put the question can be considered regarding the same motion unless, in the opinion of the Chair, the nature of the subsequent debate warrants the consideration of such motion.

f) Motion to introduce business for which due notice has not been given:

i) A motion to consider matters for which due notice has not been given shall be considered under the agenda item of Other Business.

ii) A motion to introduce new business without due notice is normally in order only if a written copy of the motion is filed with the Chair by the beginning of the meeting so that the Chair may determine if the motion is in order and may inform members at the beginning of the meeting as to the business to be considered at the meeting.

iii) The consideration of new business for which due notice has not been given can only proceed with the consent of two-thirds of members present and voting.

g) Motion to adjourn debate:

i) A motion to extend a meeting is always in order.

ii) If a motion to adjourn debate is carried, Executive shall move immediately to the next item of business.

iii) The Chair shall determine when and how the debate will be resumed.

h) Motion to adjourn the meeting:

i) A motion to adjourn the meeting is always in order.

ii) If a motion to adjourn the meeting is carried, the meeting ends immediately following the vote.

i) Motion to extend and further extend the meeting:

i) A motion to extend the meeting is always in order.

ii) A motion to extend a meeting shall specify the new time by which the meeting will conclude.

iii) If a motion to extend a meeting is defeated, only one other such motion to extend may be considered subsequently.

j) Motion to permit a non-member to address Executive:

i) A motion to permit a non-member to address Executive is always in order.

ii) While there is no debate on such a motion, the mover shall provide a brief rationale.

16. Other Procedural Motions

The Chair may recognize other procedural motions (e.g., a motion to recess for a specified time) in circumstances where the implementation of such a motion would assist Executive in conducting its business effectively.

17. Precedence of Motions

The Chair shall give precedence to motions as follows (from highest precedence to lowest):

a) to adjourn the meeting;

b) to adjourn debate (or table a motion);

c) to put the question;

d) to permit a non-member of Executive to speak;

e) to refer;

f) to amend an amendment; and

g) to amend.

18. Points of Order and Privilege

a) Points of order:

- i) Points of order are made when it is alleged that there has been a breach of the rules of Executive.
- ii) Members have a right and responsibility to rise on a point of order if they believe that the proceedings of a meeting are inconsistent with these rules.
- iii) A point of order should be made as soon as the alleged irregularity occurs and should not be dealt with if other matters have intervened.
- iv) The Chair shall rule on a point of order without debate.

b) Points of personal privilege:

- i) Members may raise a point of privilege based on the belief that the integrity of Executive or a member has been compromised.
- ii) If the Chair agrees that a privilege has been violated, the Chair's ruling may include remedies such as requesting an apology or the withdrawal of a remark, correction of a document or other actions consistent with the principles of Executive membership.
- iii) The Chair shall rule without debate. However, the Chair may seek the advice for disposition at a later time. In any event a ruling shall be made no later than the next regular meeting of Executive.

19. Challenges to the Rulings of the Chair

- a) When a ruling by the Chair is challenged on a motion from the floor, the Chair shall seek a seconder for the motion.
- b) If there is no seconder, the challenge shall be declared to have failed.
- c) If the motion to challenge is seconded, the Chair shall invite the mover of the motion to provide the reason(s) for the challenge. The Chair shall then explain the reason(s) for the ruling.
- d) There is no debate on a challenge.
- e) A vote shall then be held on the motion to challenge the ruling of the Chair.

20. Items for Information

Information published in the agenda for a meeting of Executive or any matter distributed at a meeting of Executive or transmitted to members by other means is deemed to have been received by Executive.

Policy and Procedures for YUFA's Executive: Email Motions

Approved November 22 2010

Recommendation: That the YUFA Executive Committee considers adopting the proposed policy and procedures for Executive email motions.

Principle: As far as reasonably possible, the policy and procedures for email voting should parallel those in place for voting in face-to-face Executive meetings.

Proposed policy and procedures for discussion:

Email motions are only suitable for straightforward motions. Email is not well-suited for the conduct of a deliberative process. Email does not provide the opportunity for discussion or amendment of motions that one would have in a face-to-face meeting.

Circulating an email motion:

1. All motions must receive prior approval from the President that they are in order before they can be sent out over email.
2. The mover and seconder must be named in the motion and it must be indicated that both mover and seconder actually vote in favour of the motion.
3. The subject line of all email motions shall begin with: "Motion: Action Required".
4. The first line of the body of the email shall include the words: "I move that ...".

Responding to an email motion:

5. Members shall retain the thread of the original email motion in their response.
6. Members shall cc other members on their votes.
7. Members shall include the sentence, "I vote No" or "I vote Yes" in the first line of their response.
8. The Recording Secretary or designate (usually a Staff Representative) shall be responsible for attempting to solicit the vote of members who do not use or have access to email (provided such members have previously alerted the Recording Secretary that this process is to be followed) and for informing the rest of Executive about those votes.

Information about email motions and results:

9. Email motions can only be voted up or down (simple Yes or No response); they cannot be amended.
10. Once a vote is cast, it cannot be changed.
11. A minimum of six (6) voting members must vote to attain quorum; mover and seconder count as two voting members.
12. Motions expire in three (3) business days from the time of posting (e.g., if posted at 1:00 pm on Monday then expires at 1:00 pm on Thursday) or at the start of the next Executive meeting, whichever comes first.
13. Motions also expire if quorum is not met by the deadline.
14. Motions may be withdrawn at any time prior to the expiration time, provided that both the mover and seconder agree.
15. When quorum is attained, the result of the vote (support motion or not) is determined by a majority vote of those members who vote by the deadline.
16. In the event of a tie, the President breaks the tie with an additional vote. If the President is not available, the next Ranking Officer (as detailed in Article 6.4b of the Constitution) breaks the tie. The tie-breaking vote shall be cast as soon as possible after a tie is determined.

17. The Recording Secretary or designate (usually a staff person) is responsible for tallying the votes and informing the Executive of the outcome.
18. Motions are actionable effective immediately following the tallying of the votes, e.g., if the final outcome is in support of a motion to send a letter to an organization, then the letter can be sent immediately that day even if all Executive members are not yet aware of the outcome of the vote (e.g., results information email not yet sent by the Recording Secretary or designate [usually a staff person]).
19. The Executive shall affirm email motions at the subsequent Executive meeting and the Recording Secretary shall include that affirmation in the minutes of the meeting. Only members who voted on an email motion can affirm it.
20. Motions that expire or are withdrawn are not affirmed; however, they are noted in the minutes of the subsequent meeting.
21. Normally, bargaining-related email motions shall be subject to this policy and procedures document. Exemptions for such email motions during the Bargaining process may be determined on a case-by-case basis. However, a clear *ad hoc* process and rationale for exemption must be laid out in the email motion.

YUFA CHARITABLE DONATIONS POLICY

Adopted February 2017

All monetary donations made by the York University Faculty Association (YUFA) shall be consistent with and advance the goals and purposes of YUFA. Furthermore, YUFA may through its donations engage in social and trade union activism. This policy clarifies the limits on and responsibilities for solidarity and general charitable donations.

1. YUFA will make solidarity and general charitable donations only to non-profit groups and organizations.
2. The fundamental purpose for providing financial support to various groups and causes is to (a) advance educational equity; (b) promote social justice; (c) enhance democratic bargaining and (d) respond to miscellaneous requests for humanitarian aid in exceptional circumstances.
3. Groups or causes that have no discernible connection to education, social justice, humanitarian and collective bargaining concerns will not be eligible to receive funding.
4. In addition to the amount budgeted for solidarity donations already in place, a separate funding line of \$10,000 will be established to provide for general charitable donations herein referred to as the General Donations and Contributions Fund. Monies from the General Donations and Contributions Fund may be disbursed by the Executive Committee to a maximum of \$1,000 per single request. In exceptional circumstances and upon the recommendation of the President and Treasurer, the Executive Committee may donate up to an additional \$1,000.
5. Requests for donations from student organizations will be considered based on the scope and nature of the project for which funding is requested. The same criterion will apply to groups or organizations whose goals are similar to those identified in 2 (a), (b) and (d).
6. Regarding requests for solidarity funds, preference will be given to: (a) other Canadian Faculty Associations; (b) other union groups at York University; (c) other union groups in the city of Toronto, and (d) union groups in the broader public sector.
7. Annual donations of up to \$200 per organization, consistent with the above, can be made at the discretion of the Vice President External. The Executive Committee will ratify donations over \$200. The Vice President will report all requests and all donations bi-monthly (i.e., every two weeks) to the Executive. The Vice President will also prepare bi-annual (i.e., every six months) reports to the Executive Committee on all donations. All donations above \$5,000 will also be reported to Stewards' Council. Donations above \$15,000 will be brought to Stewards' Council for a vote.
8. Normally, a request to YUFA for a donation will include a statement of the organization's or individual's aims, the purpose to which the funds will be put, and a budget for the event or project.

RULES AND PROCEDURES FOR STEWARDS' COUNCIL

Approved at 5 September 2014 Stewards' Council Meeting

The rules and procedures for Stewards' Council followed over the years have not been written in a single document easily accessible to all YUFA members. This document is intended to lay out these rules and procedures **based on the YUFA Constitution, the YUFA By-laws, and past practice**. According to the YUFA Constitution, *Article 3.4 Order*, the proceedings of the Association should be conducted in conformity with the rules and procedures of the Association. In cases not covered by these rules and procedures, then we conform to *Bourinot's Rules of Order* (as revised by J.G. Dubroy—which is out of print and is not the most recent version of Bourinot). A similar document has been written for the Executive Committee. Approved at 5 September 2014 Stewards' Council Meeting

Mandate of Stewards Council (YUFA Constitution [hereafter referred to as YC], Article 4.1)

The Stewards' Council adheres to the YUFA (the Association) Constitution and By-Laws. Council's mandate is to direct the affairs of the Association between General Meetings. In particular, Council:

- “ratifies appointments made by the YUFA Executive Committee”;
- “ratifies the establishment of subcommittees of the Executive Committee”;
- “ratifies amendments to the Association’s By-laws”;
- “approves primary negotiating positions prior to ratification by the membership”;
- “recommends to the membership amendments to the YUFA Constitution”;
- “reviews the Executive Committee’s work plans, organizing plans, and progress reports”;
- hears appeals of the Executive Committee’s decisions to not advance grievances to the arbitration stage (By-law 17).

When a motion is presented, Stewards Council has the option to vote ‘yes’ or ‘no’ on the motion. Ratification does not allow for changes to be made to a motion.

Membership (YC, Article 4 1)

Voting membership consists of members of the YUFA Executive Committee, all elected Stewards, and one representative from each recognized caucus.

Stewards are elected according to By-law 7.

Stewards’ terms of office are 3 years.

No chairperson or equivalent of an academic unit may serve as a Steward.

Role of Stewards (YC, Article 4.3)

“Stewards shall, *inter alia*, represent the interests of the members of their constituent department(s)/unit(s), be responsible for advising and guiding the members of their constituent department(s)/unit(s) in the preparation and processing of complaints and grievances according to the terms of the Collective Agreement, and participate in organizing activities of the Association as required.”

Stewards shall elect two representatives from Council to Executive to serve a one-year term beginning June 1st.

Chair of the Council (YC, Article 4.2)

Alternates between the 2 Stewards’ Council Representatives to Executive.

Meeting Frequency (YC, Article 4.2)

Council meets at least 8 times per year. The Executive Committee calls meetings and proposes the agenda of Council. Meetings are scheduled during the academic year from September through June. Unscheduled meetings may be called at the request of 10 members of Council, upon 48- hours notice. Approved at 5 September 2014 Stewards' Council Meeting

Agendas/Minutes (YC, Article 4.2)

Agendas are posted in advance of each meeting. Minutes and agendas are sent to Council members via the Council listserv and hard copies are available at meetings.

All YUFA members are encouraged to attend Council meetings.

Conduct of Meetings

The Chair shall conduct the proceedings in conformity with the rules and procedures enacted by the Association. In cases not covered by the rules and procedures of the Association, Stewards Council uses the most current version of *Bourinot's Rules of Order* as a guide for process at Council meetings.

Debates and Votes

1. Participation in Debate by Council Members and Non-Members

- a) Only voting Council members may participate in the debate on an issue.
- b) On occasion, Council may wish to hear from persons who are not Stewards. The Executive Committee or Chair may extend an invitation to a non-member to speak to Council. Council itself may, by majority resolution, agree to hear non-members on a particular subject for the purpose of adding new information within their expertise.
- c) When appeals of the Executive Committee's decision not to advance grievances to the arbitration state are heard, the grievor may present their case for overturning the Executive's decision (By-Law 17).

2. Voting

- a) Only voting members may vote on Council.
- b) Votes must be cast in person at a Council meeting unless an electronic vote is called outside of a scheduled Council meeting (see 2g below).
- c) When the Chair is satisfied that the debate on an item has covered a full range of issues, or when a motion to call the question has been approved, the Chair shall call the question.
- d) When a question has been called, no motion can be made and no other intervention is permitted until the tally is completed and the results announced.
- e) Normally, voting at Council meetings is conducted by a show of hands.
- f) When a vote is taken on appeals of the Executive Committee's decision not to advance grievances to the arbitration stage, members of Executive do not vote (By-Law 17).
- g) When a vote on matters that are time-sensitive and not complex must be held outside of a scheduled Council meeting, votes will be submitted to an Executive Associate/Staff Representative who collects the

votes electronically. The timeframe for voting may vary depending on circumstances but must be specified when a vote is called.

3. Votes by the Chair

The Chair is a voting member of Council and can vote on all motions. The Chair holds the prerogative of casting a second, and deciding, vote in the event of a tie.

4. Abstentions Not Recorded

Members may choose not to vote. Abstentions are not votes, are not recorded, and are not factored in the tallying of votes (although members who are present and who choose not to vote are counted as part of quorum). However, members may have their abstention noted for the record. Approved at 5 September 2014 Stewards' Council Meeting

5. Reconsideration of Business

When an issue is decided at a meeting of Council, it may not be reconsidered during the same meeting. Any subsequent reconsideration must conform to the notice provisions of these rules. Approved at 5 September 2014 Stewards' Council Meeting

Conduct of Proceedings

1. Quorum

a) Council may convene and conduct business only when at least 1/3 of elected Stewards are present at a regular or special meeting (YC, Article 4.2). If during a duly constituted meeting the Chair observes (independently or at the request of a member) that quorum is no longer present, the Chair may adjourn the meeting. If the meeting continues, motions cannot be proposed.

b) The number of voting members for the year (June 1st to May 31st) is determined prior to the first Council meeting in the fall. The number of elected Stewards required for quorum for the year will be documented on the agenda for the first Council meeting in the fall.

c) At a duly constituted meeting (i.e., where quorum is met), motions are approved or defeated based on a simple majority vote by the voting members who are present, with the exception of a motion to put the question (see #1e below).

d) A vote on motions that is held outside of a scheduled Council meeting is subject to a similar quorum, i.e., at least 1/3 of elected Stewards must vote in order to meet quorum. When quorum is met, motions are approved or defeated based on a simple majority vote by the voting members who actually vote. Email voting for motions must be documented and affirmed at the next Council meeting.

e) A 2/3 majority is required when a motion is made to put the question. If the motion is passed by a 2/3 majority then the main motion must be put immediately. If the 'put the question' motion fails to receive a 2/3 majority, then debate continues and further amendments are in order.

2. Speakers Address the Chair

a) All matters coming before Council are to be addressed to the Chair who will ensure that Council's business is conducted in an orderly manner consistent with the principles and procedures outlined in this document.

b) No item of business is on the floor of Council unless it has been recognized by the Chair.

c) In addition to members of Stewards' Council speaking during a meeting, any YUFA member who is not a member of Stewards' Council may speak when recognized by the Chair; no motion is required.

3. Decorum

Decorum is to be observed at all Council meetings. If a member or an observer does not respect the Chair's request to observe decorum, the Chair may require that the member(s) or observer(s) leave the meeting.

4. Motions and Rationales

All decisions are to be framed in the form of a motion and must be accompanied by a rationale which explains the import of the motion, outlines its intended consequences, and reports on the consultations undertaken in its preparation.

Motions from the Executive Committee for ratification by Council come forward already approved by the Executive Committee.

5. Notices of Motions

a) Motions intended for Council's consideration at its regular meetings may be submitted to the Executive Committee for consideration at a scheduled Executive Committee meeting prior to the Council meeting. However motions can be ruled in order by the Chair on the day of the meeting and added to the agenda. [See 6.)]

b) Motions intended for Council's consideration at a special meeting of Council must be submitted to the Executive Committee twenty-four (24) hours prior to the Council special meeting.

c) No notice is required for a procedural motion. Approved at 5 September 2014 Stewards' Council Meeting

6. Determining That Motions Are in Order

a) The Chair, with the advice of the Executive Committee, is responsible for determining if motions submitted for Executive's consideration in advance of regular or special meetings of Council are in order. Such motions must be approved by Executive in order to be included on the Council agenda. (But see 6d.)

b) All motions circulated with the agenda are deemed to be in order.

c) All rulings that a motion is out of order will be reported to Council by the Chair together with a rationale for the ruling. Any such ruling is subject to challenge.

d) Motions for which notice has not been given must normally be delivered to the Chair in writing for a determination of whether a motion is in order. The text of the motion should normally be made available for voters to read, e.g., on paper.

e) No motion or other intervention is in order when a vote is in progress.

7. Motions That Are Debatable

The following motions are debatable:

a) substantive motions;

- c) amendments to substantive motions;
- d) sub-amendments to amendments, as above;
- e) referral (debate is limited to the issues raised by referral, see 15d below);
- f) changes to the order of the agenda;
- g) rescinding previous actions; and
- h) limitations on the duration of a debate or on the length of time members may speak.

8. Debating a Motion

a) Members may speak to any debatable motion but normally may speak only once to each such motion and for a maximum of 5 minutes. Exceptions are as follows:

- i) the mover of a motion is entitled to speak first and last; and
- ii) the mover, or an expert designated by the mover, may respond to questions as necessary or clarify material issues.

In addition, the Chair has the discretion to allow Council members to speak more than once as long as no one person is allowed to dominate the meeting and the time available for debate is shared fairly.

b) The Chair may rule out of order any remarks which are not relevant to the issue before Council.

9. Dividing a Motion

a) If a motion raises more than one issue for decision, the Chair may, with the agreement of the mover and seconder, divide the motion in a manner which will help Council deal effectively with the issues.

b) A motion may also be divided by means of a procedural motion to do so.

c) A motion to divide shall take precedence over the motion under debate.

d) There is no debate on a motion to divide.

10. Amendments

a) An amendment to a motion may be moved without notice during debate on the main motion.

b) Normally the mover of an amendment should provide a written version of the amendment to the Chair. Before voting on the amendment can take place, the text of the change(s) should normally be made available for voters to read, e.g., on paper.

c) If a motion to amend is seconded and recognized by the Chair to be in order, discussion will be limited to the issues raised by the amendment until the amendment is resolved.

d) Only one amendment to a motion may be on the floor at one time.

e) Each amendment must be resolved before another amendment or the main motion may be considered.

11. Scope of Amendments

- a) An amendment is designed to alter the main motion without substantially changing its intent and shall be strictly relevant to the business under consideration.
- b) The Chair shall rule out of order any amendment which would negate or substantially alter the main motion.

12. Sub-Amendments

- a) A sub-amendment is intended to amend an amendment under consideration.
- b) A sub-amendment can only be moved when an amendment is on the floor.
- c) A sub-amendment is out of order if it has the effect of negating the amendment or altering the amendment to such an extent that it significantly frustrates the purpose of the amendment.
- d) If a sub-amendment is seconded and recognized by the Chair to be in order, discussion will be limited to the issues raised by the sub-amendment until such time as the sub-amendment is resolved.
- e) Only one sub-amendment may be on the floor at one time and must be resolved before another may be considered.
- f) Sub-amendments must be resolved before the amendment can be resolved.
- g) Normally the mover of a sub-amendment should provide a written version of the sub-amendment to the Chair. Before voting on the sub-amendment can take place, the text of the change(s) should normally be made available for voters to read, e.g., on paper.

13. Friendly Amendments

- a) During the course of debate, the mover and seconder may receive suggestions from the floor about the wording of motions. If the mover and seconder of a motion agree that the intent of the motion would be clarified by a change of wording, they may, with the agreement of the Chair, alter the wording of the motion accordingly.
- b) Any proposed change to the wording which significantly alters the intent of a motion is not a friendly amendment and may be ruled as such by the Chair.
- c) Normally the mover of a friendly amendment should provide a written version of the friendly amendment to the Chair. Before voting on the amendment can take place, the text of the change(s) should normally be made available for voters to read, e.g., on paper.

14. Resolving a Motion, Amendment, or Sub-Amendment

- a) Motions, amendments, or sub-amendments which are moved, seconded, and recognized by the Chair to be on the floor of Council for discussion must be brought to a vote unless debate is ended by an intervening and overriding procedural motion.
- b) A motion may be withdrawn by the mover and seconder if no member objects. If there is an objection the question of withdrawal should be put to a vote.
- c) The Chair may request that the mover and seconder withdraw a motion if it appears that further debate not be in the best interests of Council.

15. Procedural Motions

- a) Most procedural motions are not debatable.
- b) If a non-debatable motion has been moved, the Chair may invite the mover of the motion to explain in brief the reason for the motion.
- c) Procedural motions require a mover and seconder and take precedence over the motions which are under debate at the time they are moved.
- d) Motion to refer (debatable in part):
 - i) Although procedural in nature, a motion to refer has substantive elements that are debatable. In particular, a motion to refer must identify the person or body to whom the reference is made.
 - ii) A motion to refer is in order when a motion is on the floor of Council for discussion. A motion to refer is not in order when an amendment or sub-amendment is on the floor. Approved at 5 September 2014 Stewards' Council Meeting
 - iii) When a motion to refer is on the floor, only issues relating to the nature of the proposed referral may be debated (e.g., to whom the reference is made, why the reference is being made, when a report back should be expected, etc.).
 - iv) If a motion to refer is defeated, no further motion to refer may be considered with respect to the specific motion being considered unless, in the opinion of the Chair, significant new information has been provided in the debate which would warrant the re-consideration of a referral.
- e) Motion to put the question:
 - i) A motion to put the question may be considered when a main motion, amendment, sub-amendment, or a debatable procedural motion is on the floor.
 - ii) If a motion to put the question is resolved in the affirmative, the Chair invites the mover of the main motion to make concluding remarks and then puts the question to Council.
 - iii) If a motion to put the question is resolved in the negative, debate on the main motion resumes.
 - iv) No further motion to put the question can be considered regarding the same motion unless, in the opinion of the Chair, the nature of the subsequent debate warrants the consideration of such motion.
- f) Motion to introduce business for which due notice has not been given:
 - i) A motion to consider matters for which due notice has not been given shall be considered under the agenda item of Other Business.
 - ii) A motion to introduce new business without due notice is in order normally only if a written copy of the motion is filed with the Chair by the beginning of the meeting so that the Chair may determine if the motion is in order and may inform members at the beginning of the meeting as to the business to be considered at the meeting. The text of the motion should normally be made available for voters to read, e.g., on paper.
 - iii) The consideration of new business for which due notice has not been given can only proceed with the consent of two-thirds of members present and voting.

g) Motion to adjourn debate:

i) A motion to adjourn debate is always in order.

ii) If a motion to adjourn debate is carried, Council shall move immediately to the next item of business.

iii) The Chair, with the advice of the Executive Committee, shall determine when and how the debate will be resumed.

h) Motion to adjourn the meeting:

i) A motion to adjourn the meeting is always in order.

ii) if a motion to adjourn the meeting is carried, the meeting ends immediately following the vote.

i) Motion to extend and further extend the meeting:

i) A motion to extend a meeting is always in order.

ii) A motion to extend a meeting shall specify the new time by which the meeting will conclude.

iii) If a motion to extend a meeting is defeated, only one other such motion to extend may be considered subsequently.

16. Other Procedural Motions

The Chair may recognize other procedural motions (e.g., a motion to recess for a specified time) in circumstances where the implementation of such a motion would assist Council in conducting its business effectively.

17. Precedence of Motions

The Chair shall give precedence to motions as follows (from highest precedence to lowest):

a) to adjourn the meeting;

b) to adjourn debate (or table a motion);

c) to put the question; Approved at 5 September 2014 Stewards' Council Meeting

d) to refer;

e) to amend an amendment; and

f) to amend.

18. Points of Order and Privilege

a) Points of order:

i) Points of order are made when it is alleged that there has been a breach of the rules of Council.

ii) Members have a right and responsibility to rise on a point of order if they believe that the proceedings of a meeting are inconsistent with these rules.

iii) A point of order should be made as soon as the alleged irregularity occurs and should not be dealt with if other matters have intervened.

iv) The Chair shall rule on a point of order without debate.

b) Points of personal privilege:

i) Members may raise a point of privilege based on the belief that the integrity of Council or a member has been compromised.

ii) If the Chair agrees that a privilege has been violated, the Chair's ruling may include remedies such as requesting an apology or the withdrawal of a remark, correction of a document, or other actions consistent with the principles of Council membership.

iii) The Chair shall rule without debate. However, the Chair may seek the advice of members and also may consult with the Executive Committee for disposition at a later time. In any event a ruling shall be made no later than the next regular meeting of Council.

19. Challenges to the Rulings of the Chair

a) When a ruling by the Chair is challenged on a motion from the floor, the Chair shall seek a seconder for the motion.

b) If there is no seconder, the challenge shall be declared to have failed.

c) If the motion to challenge is seconded, the Chair shall invite the mover of the motion to provide the reason(s) for the challenge. The Chair shall then explain the reason(s) for the ruling.

d) There is no debate on a challenge.

e) A vote shall then be held on the motion to challenge the ruling of the Chair.

20. Items for Information

Information published in the agenda for a meeting of Council or any matter distributed at a meeting of Council or transmitted to members by other means is deemed to have been

YUFA Privacy Policy

Approved September 2014

When YUFA puts new members onto the website for forum access, site administrators have your name and email address but are not privy to your password: if we arrange a new one for you, it is randomly generated and sent to you by the software.

The YUFA website is hosted on CAUT servers. Their privacy policies can be found here:
<http://www.caut.ca/privacy-policy>

Submissions to the Comments section of the website record the name, email and IP address of the poster.

In addition, YUFA may collect personal information about individuals who participate on committees or task forces, who request legal assistance or employment assistance, apply for scholarships, or register for conferences through YUFA. If you provide personal information to us for any of these reasons, you can do so with the understanding that your personal information will be protected. Whether in electronic or paper-based format, YUFA maintains strict security systems to safeguard your information from unauthorized access, disclosure or misuse.

YUFA COMMUNICATIONS POLICY

Approved 27 March 2006

Revised 12 September 2014

YUFA aspires to make the exchange of information between and among the Executive, Stewards and Members of the Association as user-friendly as possible, while always protecting personal, confidential, or privileged information.

To this end, YUFA communicates with its Membership through the following channels:

The YUFA website and Members' Forum

YUFA e-News (the electronic newsletter of the Association)

YUFA-M messages (emails to the full membership listserv of the Association)

List-serves specific to the subcommittees of the association

NB: As per Article 8.02 of the YUFA Collective Agreement, communications from the Association to the Membership are also shared with the Employer.

8.02 The Association agrees to provide the Employer with the following information: (a) copies of any mailings for the Association to either all its members or all members of the bargaining unit, to be sent to the Employer at the same time as the general mailing; (b) copies of any statements or representations made or to be made publicly by the Association; (c) an up-to-date copy of the Constitution of the Association; (d) an up-to-date list of the Executive of the Association.

WEBSITE:

The YUFA website is the face of the Association on the internet and represents one of the most common ways for Members and the public to access information about YUFA. As such it falls within the portfolio of the Communications Officer, who coordinates its administration. Given the nature of the internet, the website is anticipated to evolve over time under the direction of the Communications Officer and with the approval of the Executive. Nevertheless, as a resource for the Association as a whole, it is expected to contain certain fundamental information, *inter alia*:

All governing documents of the Association, including but not limited to: the Constitution, By-Laws, and internal policies approved by YUFA bodies (Executive, Stewards Council) and the date of approval

The current and past Collective Agreements

All non-privileged information due to members under the auspices of Article 7 of the Collective Agreement and the work of Joint Committee on the Administration of the Agreement

The names of all Officers, Stewards and Members serving in YUFA-related positions or on YUFA subcommittees and the terms of reference for their service (i.e., timeframes, rights, responsibilities, liabilities)

Contact information for the Association

Website administrators: All site administrators assume the responsibility of holding YUFA Membership data visible in the ‘back-end’ of the site in strict confidence. Site administrators shall be posted on the website, and include, *inter alia*: the Communications Officer, members of the YUFA staff.

Website host: The YUFA website is presently hosted by the CAUT and subject to its privacy policies.

Members’ Forum: The YUFA Membership Forums are located in a password protected space available only to the YUFA Membership and staff. This space gives all Members a voice on matters of concern to the Association and its Membership, as well as the right of reply, and recourse to report inappropriate posts. By participating in YUFA Forums, Members and staff agree NOT to reproduce the contributions of others in any manner elsewhere without the express consent of the original author(s). Materials which contravene site policy will be deleted. Members’ concerns about inappropriate posts shall be directed to the Communications Officer or designate. Members may appeal the removal of on-line content. In such case of appeal, the decision to remove that material will be reviewed by the YUFA Executive. Members may request that the rationale taken for the course of action be posted on-line.

YUFA E-NEWS

YUFA e-News is the primary vehicle for YUFA representatives to communicate with the Membership, though it may also include content generated or submitted by Members and sources other than the YUFA Executive. YUFA e-News is compiled under the editorial direction of the Communication’s Officer. YUFA e-News is an electronic newsletter. Normally the content it provides generated by the Executive for the membership will also be posted on the website. YUFA e-News represents a ‘portmanteau’ tool to bring time-sensitive information to the attention to Members, such as calls for involvement or advisories, developments regarding issues of concern -- including, e.g., flagging issues of active discussion on the Members’ Forum—as well as up-coming meetings or events associated with the work of the Association, etc. YUFA e-News is published on an ad hoc basis, making every effort to strike a balance between the principles that too much correspondence could represent a difficulty, while the reiteration of certain timely information may be helpful to Members and the Association. Proposals for items to include in YUFA e-News can be directed to the Communications Officer.

YUFA-M

YUFA-M is an Employer-hosted listserv that includes the email addresses for the YUFA Membership. It represents the channel through which communications too urgent for inclusion in YUFA e-News may be made to the Membership. YUFA-M emails are sent at the discretion of the Executive by the YUFA staff.

OTHER YUFA LISTSERVS

The YUFA staff may at times organize listservs, likewise hosted on the Employer servers, in support of YUFA Committees. The people included on such listservs shall be known to the other participants: those in doubt can contact the YUFA Officer for clarification. All participants in YUFA-organized listservs agree NOT to reproduce the contributions of others in any manner elsewhere without the express consent of the original author(s).

Site Policies for YUFA-Hosted On-Line Discussion Spaces, Blogs, Forum Pages and Electronic Communication

Approved September 2014

We aspire to create a space where even difficult or controversial issues of concern to members can be discussed. Anything that supports this aim is encouraged, provided it does not violate these terms of use. YUFA's statement on Equity (Article 1.3 of the Constitution) provides a sense of the concerns that inform how our terms of use are understood:

The Association is committed to upholding the principles of equity, non-discrimination and freedom from harassment and to nurturing a culture of acceptance, diversity and inclusion where every member of YUFA and the broader York community is treated with dignity and respect, receives equal treatment and enjoys freedom from harassment, interference, restriction, coercion, or intimidation exercised or practised by a member with respect to another member both within the union and in the workplace because of, but not limited to, race, ancestry, place of origin (birth place), colour, ethnic origin, citizenship, language, creed, sex, gender, gender identity and gender expression, pregnancy, sexual orientation, sexual preference, age, marital status, family status, number of dependents, disability, non-conforming behaviour, professional status, political views or beliefs, religious affiliation or belief or membership in associations.

By participating in YUFA-hosted discussions on-line, you agree that you will not post:

- Material which is libellous or defamatory, or abusive of individuals or groups
- Unauthorized personal information of other users

The YUFA Membership Forums are located a password protected space available only to the YUFA Membership and staff. This space gives all Members a voice on matters of concern to the Association and its Membership, as well as the right of reply, and recourse to report inappropriate posts.

- By participating in YUFA Forums, Members and staff agree NOT to reproduce the contributions of others in any manner elsewhere without the express consent of the original author(s).

Material which is found to be inappropriate may be deleted.

Concerns: If you have a concern about something posted to the website, please report it to yufa@yorku.ca

Appeals: If you have a concern about the removal of on-line content, please address your comments to yufa@yorku.ca The decision to remove that material will be reviewed by the YUFA Executive. You may request that the rationale for the course of action taken be posted on-line.

Reporting Information from Membership Votes

Approved November 11, 2003

The YUFA Executive has established a new policy on reporting the results of voting by members. In the past, members have been told the percentage of all voters that supported each position, but normally no further information was given. There were and are good reasons for not revealing the number of members voting, especially where that number may be low and the employer may be able to use such information to improve its bargaining power. After a thorough discussion of these points the motion, as passed by Executive, reads: “actual numbers for all balloted general membership votes [will] be released save for strike votes”. The Executive will decide whether to make strike vote details public or not depending on the bargaining situation.

Several members have asked for information on the number of voters supporting each position as well as the total number of members casting ballots. That information will now be released following every vote by the membership and will include the percentage and the number of members voting for each position as well as the total number of members casting ballots.

YUFA Elections, Voting and Ratifications Policy

Approved August 22, 2017

Notwithstanding the procedures and regulations located in the YUFA Constitution and YUFA By-Laws governing the nomination, ratification and election of Officers and Stewards, the following will be adopted:

- (1) For ratifications of the YUFA Budget, any levy(ies) proposed by the YUFA membership, amendments to the YUFA Constitution, polls of YUFA members or any such matters exclusive of the nomination, ratification and election of Officers and Stewards of the Association, the President may at her/his discretion determine the period in which the vote will be open. The minimum period of time for participation in the above ratifications will be two (2) business days; the maximum period of time will be ten (10) business days. The President will announce the voting period at the time the ratification process begins. Once a voting period has been announced, it cannot be changed.
- (2) Multiple ballots during a single ratification period: The President will have the authority to determine the number of ratification or election questions that are contained on a single electronic ballot. The time period for such ratification and election votes must be identical and conform to the rules and procedures found in the YUFA Constitution and YUFA By-Laws.

YUFA POLICY ON APPOINTMENTS BY EXECUTIVE COMMITTEE

Approved: June 18, 2014

1. JCOAA

Appointments to the JCOAA shall take place every two years after the newly elected Executive takes office. Membership shall be as follows:

- Co-Chair
- One Chief Steward chosen by Executive
- One Equity Officer chosen by Executive
- One member-at-large
- Chair of Long Range Planning Subcommittee

Calls for the At-large member, Co-Chair and Chair of Long Range Planning Subcommittee will be issued no later than May 1. The new Executive shall make the appointments at its first meeting in June and Stewards' Council ratification shall take place by July 1, either by a vote at a meeting or by an electronic ballot. The President (otherwise ex officio non-voting) may serve as interim Co-Chair of JCOAA pending ratification of a new Co-Chair or at the discretion of Executive.

2. COMMITTEES NOT SPECIFIED IN BY-LAWS OR CONSTITUTION

Normally committees not otherwise specified elsewhere in the by-laws and constitution shall be appointed and constituted in the following manner:

All committee appointments shall be for a two-year term. New appointments shall take effect annually on June 1 or as soon as practicable thereafter.

Executive shall issue a call for volunteers to serve as members of the relevant standing or joint committee by March 15 prior to the effective date of the appointment. Appointments or reappointments by Executive shall be made no later than April 15 and sent to Stewards Council for ratification no later than May 15.

Policy and Guidelines for YUFA Committee Service

Approved 17 October 2014

We would like to thank you for offering to serve as a YUFA representative and or delegate. The guidelines below are meant to clarify the service and reporting relationship between YUFA as an organization and those individuals who take on the important role of representing YUFA on committees and outside bodies

No one who serves as a YUFA representative or delegate forfeits his or her personal judgement. In fact, there are many circumstances where developing your own perspective on a range of issues and topics related to the work of the committee may work to the benefit of YUFA. We also want YUFA committee representatives or delegates to be able to explore opportunities and possible initiatives that you think can help YUFA. Service on YUFA committees clearly presents one of the best ways for members to have an influence within YUFA and for YUFA to tap into the diverse pool of talent and ideas within our membership. Nevertheless, all such activities should be consistent with your role in representing the interests of YUFA as an organization.

When you represent YUFA you are above all expected to promote the interests of YUFA as an organization. This is especially important to keep in mind when you are serving on committees with representatives of the employer or other organizations.

Acting as a representative of YUFA on any committee or body, inside or outside the university, carries with it the expectation that you are familiar with YUFA's position and policies (in that area) and that you will be reporting to YUFA as necessary. This means that if you are being asked to formulate or affirm a YUFA commitment or policy, you should try to make yourself aware of any position YUFA may have in regards to the matter and try your best to align yourself with that position when deliberating, voting or contributing to decisions. If YUFA's position is uncertain in your mind or if it is open-ended we would ask that wherever possible you seek advice from the YUFA office or YUFA Executive before supporting any given policy or any commitment of resources related to matters in which YUFA has an interest.

Furthermore, if you are serving as a delegate or representative to a meeting or body, it is your responsibility to report on any decisions, outcomes, or information that YUFA should be aware of. Any minutes that are kept should be made available to the YUFA office. In the case of joint committees if anything is to be decided that might affect how members are treated by the employer or under the collective agreement, then it is essential that you report before voting or making commitments. Finally, by May 15 it is expected that each committee or joint committee or YUFA representative on an outside body will issue an annual report highlighting important activities and decisions.

We hope this helps to answer any questions you may have about the relationship between your role as a YUFA representative and the interests of YUFA as an organization. Once again, we thank you for your offer to serve on behalf of YUFA.

Template for YUFA Member Participation on Committees

Name: Firstname Lastname

Department and Faculty: Department of XXX, Faculty of XXX

Name of Committee/Subcommittee: XXX Committee/Subcommittee

Length of Appointment: XXX Years

Date Appointment Approved by YUFA Executive: XXX

Date Appointment Ratified by Stewards' Council: XXX

New Appointment? Yes _____ No _____

If no, when was member appointed? XXX

Course Release? Yes _____ No _____

If yes, specify amount of course release: _____

Do you wish to continue to serve on this committee/subcommittee for another year?

Yes _____ No _____

I have read and agree with the attached Policy and Guidelines for YUFA Committee Service.

Date: _____ Signature: _____

Joint Health & Safety Protocol

Signed September 13, 2001

PREAMBLE

1. It is a requirement of the Occupational Health and Safety Act (“The Act”) to establish a policy that encourages the active participation of all employees in the prevention of accidents and the promotion of health and safety in the workplace.
2. York University and the York University Faculty Association have established a Joint Health and Safety Committee under The Act and have reached an understanding as to the guidelines for the composition, practices and procedures thereof.
3. York University agrees to promote and assist the YUFA Joint Health and Safety Committee and committee members by providing such training and assistance and, where regulations governing confidentiality permit, information as may reasonably be required for the purpose of carrying out their responsibilities.
4. York University and YUFA acknowledge that a Joint Health and Safety Program can only be successful when everyone in the workplace is committed to these responsibilities. Therefore, the parties undertake to cooperate in ensuring that these Guidelines and the full intent of The Act will be carried out by their respective organizations.

York University and YUFA hereto adopt these Guidelines in good faith.

YORK UNIVERSITY

President

YUFA Chair

STRUCTURE OF THE JOINT COMMITTEE

1.1 The YUFA Joint Health and Safety Committee (referred to hereafter as the “Joint Committee”) shall consist of up to six YUFA members, at least one of who shall be from

Glendon plus a YUFA staff person and up to six management members. It is agreed that these members shall, as much as possible, represent a cross section of the faculties/departments in the University community and that the number of management members shall not exceed the number of YUFA members. Alternates may be allowed as substitutes, upon notification of the co-chairs. Each party will exchange lists of their alternates.

1.2 The Joint Committee shall normally meet at least three times per term on a regularly established schedule. The co-chairs must approve any changes to the schedule.

1.3 There shall be two co-chairs, one from management and one from YUFA, who shall alternate the chair at meetings.

1.4 A co-chair may, with the consent and approval of his/her counterpart, invite additional persons to attend a meeting to provide additional information and comment, but invited persons shall not participate in the regular business of the meeting; consent shall not be unreasonably denied.

1.5 York University will ensure that at least one management and one YUFA members of the Joint Committee are certified members as defined in the Ontario Occupational Health & Safety Act. The University will further provide funding for their certification of a second YUFA member of the Committee.

FUNCTIONS OF THE JOINT COMMITTEE

2.1 To attain the spirit of The Act, the functions of the Joint Committee shall be:

- a) to identify, evaluate and recommend a resolution of all matters pertaining to health and safety in the YUFA workplace to appropriate senior management;
- b) to recommend adequate education and training programs in order that all employees are knowledgeable of their rights, restrictions, responsibilities and duties under The Act; and
- c) to address matters related to The Act and attendant Regulations (for example: Designated Substances and Workplace Hazardous Materials Information System -WHMIS) and to receive reports or portions of reports that relate to health and safety.

WORKPLACE INSPECTIONS

2.2 YUFA members of the Joint Committee shall designate one of their members or alternate to inspect the physical condition of a portion of the YUFA workplace. Where and when possible, a manager shall accompany the YUFA representative.

The YUFA workplace, or part thereof, shall be inspected once per month. Workplace inspection schedules shall be undertaken in accordance with a schedule established by the Joint Committee, with the entire YUFA workplace being inspected at least annually. Efforts shall be made to coordinate inspections with other bargaining unit joint committees.

2.3 All health and safety concerns raised during the physical inspection shall be recorded on a "Workplace Inspection Report" form (sample attached), signed by the Joint Committee member performing the inspection.

2.4 The "Workplace Inspection Report" form will be forwarded to the appropriate area Health & Safety Officer and to the Department of Occupational Health and Safety ("DOHS") for inclusion in the Joint Committee file, normally within two days of the inspection. The Area Health & Safety Officer shall return copies of the completed report to the inspecting representative and Joint Committee file, in care of DOHS, normally within 14 days of receipt of the report.

RECOMMENDATIONS OF THE JOINT COMMITTEE

2.5 The Vice-President (Finance) or appropriate designate(s) shall respond, in writing, within 21 days of receipt, with regard to written Joint Committee recommendations. A copy of the recommendations shall

be attached to the minutes (sample attached). The written response shall indicate the Employer's assessment of the Joint Committee's recommendation and specify what action will or will not (with explanations) be implemented as a result of the recommendation. Any proposed action by the Employer shall include details of who will be responsible for such action and a proposed time frame.

ACCIDENTS AND ACCOMPANIMENT

2.6 (a) YUFA members of the Joint Committee will designate one of their members and/or alternates to investigate accidents, which have caused or have the potential to cause serious injury in the YUFA workplace.

(b) Co-chairs may approve the investigation of other incidents, which have the potential for serious injury. Approval will not be unreasonable denied.

(c) The investigating member shall submit a written report of the findings and recommendations to the Joint Committee and, if appropriate under Section 9(31), to the Ministry of Labour (MOL).

(d) If no qualified YUFA committee member is available and the situation warrants it, a certified worker member from another Joint Health and Safety Committee may be asked to assist in the investigation. This member shall submit a written report of the findings to the YUFA Joint Health and Safety Committee, and if appropriate under Section 9(31), to the MOL.

2.7 Management and YUFA members of the Joint Committee will each designate one of their own members and/or alternates, if necessary, to accompany the MOL Inspector while carrying out Ministry inspections of the workplace.

2.8 YUFA members of the Joint Committee will designate one of their members and/or alternates, if required, to be present during a work refusal investigation.

2.9 The Joint Committee shall be consulted concerning proposed workplace testing strategies related to industrial hygiene. A YUFA member from the Joint Committee shall be entitled to be present at the beginning of such tests if the member believes that his/her presence is required to ensure that valid testing procedures are used or to ensure that the test results are valid.

MINUTES OF MEETINGS

3.1 The Employer shall provide a secretary to record the minutes of the meeting and be responsible for having the minutes typed, circulated and filed, normally within two weeks of the meeting or as the Joint Committee may, from time to time, instruct. Minutes of the meeting will be reviewed and edited by the co-chairs. The edited minutes will be circulated to all Joint Committee members and to senior management on the Joint Committee mailing list. The approved minutes will be kept readily available in a proper filing system in DOHS. YUFA will continue to receive copies of all Joint Health and Safety Committee minutes.

3.2 Agenda items will be identified by a reference number.

QUORUM

4.1 A Joint Committee meeting must have a quorum of 50% of the members, with a minimum of two members from each party and least one co-chair, in order to conduct business. If a co-chair is absent, his/her counterpart will chair the meeting. The two parties will have an equal number of votes.

PAYMENT FOR ATTENDANCE AT MEETINGS

5.1 The Employer will provide one course release to be allocated to the committee members.

MEETING AGENDA

6.1 The co-chairs will prepare an agenda and forward copies to all Joint Committee members at least one week in advance of the meeting.

6.2 The Joint Committee may accept any item as proper for discussion and resolution pertaining to health and safety, except to amend, alter, subtract from or add to any terms of the YUFA Collective Agreement or the policies and regulations of the University. It is understood that the foregoing will not include any issue being dealt with pursuant to the grievance and arbitration procedure.

6.3 All items raised from the agenda in meetings will be dealt with on the basis of consensus.

6.4 All items that are or are not resolved will be reported in the minutes. Unresolved items will be minuted and placed on the agenda for the next meeting.

6.5 It is understood that any unresolved Health and Safety issue can be the subject of a grievance.

GENERAL

7.1 These Guidelines provide a framework for an effective, functioning Joint Health and Safety Committee. References can be made to The Act and its Guidebook.

7.2 Subject to the introduction of new legislation, the committee on an annual basis should review these Guidelines.

7.3 Any amendments, deletions or additions to these Guidelines must have the approval of the University and the Union. The approved changes shall be incorporated into these Guidelines.

7.4 All employees will be encouraged to discuss health and safety problems with their Area Health and Safety Officer before bringing them to the attention of the Joint Committee.

7.5 The Joint Committee members will thoroughly investigate all complaints and will discuss the facts when searching for a resolution to the complaints. All problem resolutions will be reported in the minutes.

7.6 All Joint Committee members will keep confidential all medical information, secret manufacturing processes or trade secrets acquired, obtained, made or received under the provisions of the Occupation Health and Safety Act.

7.7 The Employer must prepare and review at least annually a written Occupational Health and Safety policy and must develop and maintain a program to implement that policy [Section 25(2)(J)]. It is the responsibility of the Joint Committee to make recommendations to the Employer concerning the establishment, maintenance and monitoring of these programs [Section 9(18) c].

Signed at North York, Ontario, this 13th of September 2001.

YUFA JOINT HEALTH AND SAFETY COMMITTEE NOTICE OF JOINT HEALTH AND SAFETY COMMITTEE RECOMMENDATION YUFA JHSC DATE REFERENCE NUMBER

TO: Vice-President (Finance)

and

[Title]

RECOMMENDATION:

COMMITTEE FINDINGS: (background information including attachments if appropriate)

Please note that under Section 9(20) and 9(21) of The Occupational Health and Safety Act (see overleaf) you are required to respond in writing to this Committee Recommendation within 21 days.

Management co-chair

YUFA co-chair

OCCUPATIONAL HEALTH AND SAFETY ACT

Section 9 (20) A constructor or employer who receives written recommendations from a committee shall respond in writing within twenty-one days.

Section 9 (21) A response of a constructor or employer under subsection (20) shall contain a timetable for implementing the recommendations the constructor or employer agrees with and give reasons why the constructor or employer disagrees with any recommendations that the constructor or employer does not accept.

Bargaining Team Protocols

For review and confirmation / correction April 2, 2012

1. **Voting:** Wherever possible Bargaining Team decisions will be made by consensus. In instances where the Bargaining Team cannot reach a consensus the Bargaining Team's position on the contested issue will be decided by simple majority vote. All members agree to uphold and abide by the decision of the Bargaining Team. (Unanimous agreement, March 13, 2012)
2. **Confidentiality:** Bargaining Team members agree to maintain strict confidence with respect to all matters related to bargaining. Exceptions require the consensus of the Bargaining Team. (Unanimous agreement, April 2, 2012)
3. **Emerging Issues:** The Bargaining Team will discuss all emerging issues related to the Collective Agreement. The Bargaining Team will decide if an emerging issue falls within and informs an open bargaining proposal or if the issue falls outside an open bargaining position. Where an emerging issue informs existing proposals, the Bargaining Team will agree on how best to take up the issue in the context of the proposals being negotiated. Where the Bargaining Team decides the new issue falls outside any open negotiating position and thus constitutes a new bargaining proposal, the Team will refer the issue to Executive. (Majority agreement, March 20, 2012)
4. **Bargaining Table Decorum:**
 - a. The Chief Negotiator and one other person may have side table discussions with the Employer.
 - b. At the bargaining table, the Chief Negotiator is the spokesperson. Bargaining Team members may ask for caucus at any time. (Unanimous agreement, March 13, 2012)
5. **Quorum** for meetings will normally be 4 Bargaining Team members. (Unanimous agreement, March 13, 2012)
6. **Email Protocol for Internal Bargaining Team Communications:** Team discussed benefits of keeping the exchange thread intact, maintaining accurate subject lines, and being cautious of sending sensitive information.
7. **Bargaining Communications:**
 - a. Communications will be prepared and agreed to by the Bargaining Team and will then go to the Executive for distribution to the membership.
 - b. Normally, one-on-one communications with members and beyond will be handled in the following manner:
 - i. If Bargaining Team members receive email or one-on-one communications, they will – upon agreement from the sender – refer the communication to staff who will bring it to the attention of the Bargaining Team.
 - ii. The Bargaining Team will decide the appropriate response. It may choose to draft a specific response, mindful of the principle that it is best to communicate with all members rather than single members individually. The Bargaining Team may use members' questions and concerns to inform bargaining updates. (Unanimous agreement, March 27, 2012)

YUFA Sponsored Conference Guidelines

Approved: November 14, 2006

Only applications received by the due date will be considered. Applications received after the due date will be considered only if an insufficient number of applications have been received.

When submitting an application, applicants must provide a statement of interest which indicates how participation in that conference relates to or will benefit the Association and its membership.

Applicants will submit a final report to YUFA within one month of attending the conference, in a format suitable for posting on the YUFA website.

Applicants will submit a final expense claim to YUFA within one month of attending the conference.

All conference expenses are to be paid up front by the attendee and reimbursed by YUFA with appropriate documentation. Members arrange their own travel and accommodations.

YUFA sponsored conferences and the number of attendees are approved by the Executive. [Priority is given to conferences hosted or sponsored by groups with which YUFA is formally affiliated (such as OCUFA, CAUT, CLC, etc.), or to those which are directed relevant to trade unionism or social justice. Conferences of a strictly academic nature will not typically be supported.]

Applications will be reviewed by a subcommittee of YUFA which includes the VP External, Treasurer, one Equity Officer and a YUFA staff member. Queries about unsuccessful applications should be directed to the VP External.

Policy on Collective and Individual Agreements or Contracts with Staff or Third Parties

Approved November 30, 2016

YUFA members and representatives are from time to time empowered to negotiate with CUPE 1281 or with other parties, entities or contractors with whom YUFA has a business or contractual relationship. Typically such representatives would include elected officers like the president and the VP Internal, or members of the YUFA (“employer”) negotiating team in collective bargaining with employees, or others. Given the volume of resources involved in such negotiations, and in some cases the potential for conflict of interest, it is important that such representatives exercise appropriate accountability to the YUFA Executive and the YUFA membership. In particular, the following practices and policies shall be observed:

- (1) The YUFA Executive shall be aware of who is conducting such negotiations on behalf of the organization and have the opportunity to appoint and oversee such representatives where applicable. In collective bargaining with employees there shall be an official team the constitution of which shall be established by a vote of Executive, and subject to alteration by a subsequent vote.
- (2) Where Collective agreements or individual contracts or agreements with employees that are governed by the CUPE 1281 collective agreement are involved they shall be approved and supervised by Executive and, where applicable, relevant officers such as the Treasurer shall be consulted at the relevant stages of the negotiations. Agreements with employees that are not governed by the collective agreement shall be subject to the same requirements. New or revised mandates from Executive should be obtained during the process of negotiations as applicable.
- (3) In cases where current or future agreements, entitlements or liabilities may be implicated the representatives involved in the negotiations should normally seek legal advice.
- (4) Routine dealings with contractors and consultants need not be supervised closely by Executive, especially where the costs are modest, or where they involve regular relationships, as with lawyers, actuaries, benefits consultants, web designers, etc. Nevertheless, initial appointments of providers with prospective fees over \$3500 shall be approved by Executive. Such consultations or services shall normally be discussed with the President and/or Treasurer, or brought to Executive, when cost increases become significant.