

NWP

Northwestern Polytechnic

Academic Staff Association Bylaws

as updated April 2023

ARTICLE 1.0 Name

- 1.1 The name of the Association shall be “Northwestern Polytechnic Academic Staff Association” (NWP ASA) referred to hereinafter as the Association.

ARTICLE 2.0 Definitions

- 2.1 Association: Northwestern Polytechnic Academic Staff Association.
- 2.2 Board: Board of Governors of Northwestern Polytechnic.
- 2.3 Polytechnic: Northwestern Polytechnic.
- 2.4 Act: The Act governing post-secondary education in Alberta.
- 2.5 Collective Agreement: The agreement between the Association and the Board concerning terms and conditions of employment and associated matters relating to academic staff members.
- 2.6 Employer: Northwestern Polytechnic.
- 2.7 Executive-elect: The elected Executive that takes office at a future stated date.
- 2.8 Extraordinary Resolution: Any resolution which must be passed by a two-thirds majority vote of those members present at any meeting of the Association.
- 2.9 Full-time equivalent members: A calculation of all members as full-time equivalents as defined by the respective Department workloads.
- 2.10 Interim letter of agreement: A document agreed to between the Board and the Association’s Collective Bargaining Committee which shall form the basis of a Collective Agreement when approved by the Association and the Board.
- 2.11 Member or Academic Staff Member: Member of Northwestern Polytechnic Academic Staff Association as designated by the Board.
- 2.12 Minister: The Minister of the Alberta Government with responsibility for Polytechnics, including Northwestern Polytechnic.
- 2.13 Quorum: Quorum for all Association meetings shall be one-third of the full-time equivalent membership.

- 2.14 Ad Hoc Committee: A committee especially established for a specific purpose and which exists until the matter is resolved.

3.0 **Aims and Objectives of Bylaws**

- 3.1 To protect and promote the welfare and professionalism of members of the Association.
- 3.2 To bargain collectively with the employer as the official agent of the academic staff and enter into agreement concerning terms and conditions of work and employment pursuant to the Act and such other legislation as may apply.
- 3.3 To regulate the professional conduct of its members as defined in the Code of Professional Standards and Conduct (Appendix 3).
- 3.4 To manage the assets and liabilities of the Association.
- 3.5 To promote the interests and welfare of the Association by cooperation with other organizations or bodies having similar aims and objectives.
- 3.6 To protect the independence and freedom of teaching, of thought, and of research within the Polytechnic.
- 3.7 To work with the Board in the generation and realization of the goals of the Polytechnic.
- 3.8 To maintain and promote the social, recreational, and general welfare interests of the members.
- 3.9 To deal with any other professional matters considered to be in the interest of the Association or its members.

ARTICLE 4.0 Membership

- 4.1 All academic staff members on appointment to the Polytechnic shall become members of the Association.
- 4.2 Full-time Members

4.2.1 Full-time members of the Association shall be all full-time academic staff appointed by the Board pursuant to the Act.

4.3 Part-time Members

4.3.1 Part-time members of the Association shall be all part-time academic staff appointed by the Board pursuant to the Act.

4.4 A Full-time or Part-time member whose employment with the Polytechnic ends immediately ceases to be a member of the Association.

ARTICLE 5.0 Honorary and Emeritus Members

5.1 Honorary or Emeritus membership in the Association may be granted for a term of one year by a majority vote at an Association meeting. Such Honorary or Emeritus members shall not have the right to vote, to serve in any official capacity, nor be considered for quorum. Such Honorary or Emeritus members may be excluded from all or part of any Association meeting by a majority vote.

ARTICLE 6.0 Officers of the Association

6.1 Full-time members of the Association with tenured appointments shall be eligible to hold Executive office.

6.2 There shall be the following officers of the Association and they shall constitute the Executive Board.

6.2.1 President --- the President shall:

6.2.1.1 preside over all meetings of the Association and its Executive.

6.2.1.2 be the official spokesperson for the Association.

6.2.1.3 in conjunction with the Secretary, be responsible for the agenda of all meetings.

6.2.1.4 be empowered to countersign cheques and approve e-transfers in accordance with the monetary policies of the Association. (Appendix 2)

- 6.2.1.5 be an ex-officio member of all committees of the Association.
- 6.2.1.6 act as representative to the Alberta Colleges and Institutes Faculty Association (ACIFA), as outlined in the ACIFA Constitution or designate a member to act on the President's behalf.
- 6.2.1.7 be or designate the ASA representative on Polytechnic-wide committees as established from time-to-time, as approved by the Executive.
- 6.2.1.8 be responsible for direct supervision of Association employees.
- 6.2.1.9 be responsible for ensuring that the Association and its members adhere to its Bylaws.
- 6.2.2 Vice-President --- the Vice-President shall:
 - 6.2.2.1 assist the President in performing the duties of that office.
 - 6.2.2.2 carry out the duties of the President in the President's absence or if the office of President is vacant (see Article 9).
 - 6.2.2.3 be empowered to countersign cheques and approve e-transfers in accordance with the monetary policies of the Association. (Appendix 2)
 - 6.2.2.4 be voting Chairperson of the Professional Standards Committee.
- 6.2.3 Secretary --- the Secretary shall:
 - 6.2.3.1 in consultation with the President, be responsible for all official correspondence in the name of the Association.
 - 6.2.3.2 be responsible for files and non-financial records on behalf of the Association.
 - 6.2.3.3 be responsible for the agenda and minutes of all Association and Executive Meetings.

- 6.2.3.4 be responsible for assuring that a copy of the approved minutes of all Association and Executive Meetings is signed by the President and the Secretary.
- 6.2.3.5 be responsible for maintaining membership lists of all Full, Associate, and Honorary members.
- 6.2.3.6 be responsible for maintaining an approved copy of the Bylaws of the Association and making a current copy of the Bylaws available to members.
- 6.2.4 Treasurer --- the Treasurer shall:
 - 6.2.4.1 annually prepare a statement of the financial transactions of the Association.
 - 6.2.4.2 annually prepare a budget for approval by the Association.
 - 6.2.4.3 temporarily invest surplus funds as approved by the Executive.
 - 6.2.4.4 keep accurate financial records of the Association.
 - 6.2.4.5 report to the Association at meetings.
 - 6.2.4.6 be empowered to countersign cheques and approve e-transfers in accordance with the monetary policies of the Association. (Appendix 2)
- 6.2.5 Chairperson of the Collective Bargaining Committee
 - 6.2.5.1 The Chairperson of the Collective Bargaining Committee shall regularly report to the Association on the progress of negotiations.
- 6.2.6 Chairperson of the Grievance Committee --- the Chairperson of the Grievance Committee shall:
 - 6.2.6.1 be voting Chairperson of the Grievance Committee.
 - 6.2.6.2 be available for consulting on behalf of the Executive with any member who has a concern, or an individual grievance related to the Collective Agreement.
 - 6.2.6.3 Grievance Responsibilities:

6.2.6.3.1 be responsible for assisting a concerned member to complete steps in the individual grievance in a timely and thorough manner.

6.2.6.3.2 be available for and maintain appropriate records of any activity on the member's concern.

6.2.6.3.3 be available to represent the member, if so requested, in any deliberations on the member's concern.

6.2.7 Past President --- the Past President may:

6.2.7.1 be a non-voting member of the Executive for one term of office immediately following their presidency.

6.2.7.2 assist in providing continuity in the business of the Association.

6.2.8 The Faculty Members on the Board of Governors --- The two Faculty Members on the Board of Governors shall:

6.2.8.1 in compliance with provincial legislation be nominated to the Minister as the Faculty Member on the Board of Governors of Northwestern Polytechnic.

6.2.8.2 serve as a regular member on the Board.

6.2.8.3 relay information to the Board on behalf of Association members.

6.2.8.4 report to the Association.

6.2.8.5 be replaced following their resignation from the Board during their term of office. The replacing member shall be elected from the membership and nominated to the Minister to serve the remaining term of office.

6.2.8.6 assume their position upon approval from the Ministry of Advanced Education.

6.2.8.7 be a non-voting member of the Executive.

6.3 Election of Officers

- 6.3.1 All officers of the Association and members of the Collective Bargaining Committee, except the Faculty Members on the Board of Governors, shall be elected at the Regular Meeting in April of each year. The officers so elected shall assume office on August 15 and hold the position for a two-year term.
- 6.3.2 Notwithstanding Article 6.3.1, if the existing Collective Bargaining Committee has not completed its negotiations, the Chairperson of the Collective Bargaining Committee and its members shall continue in office until the negotiated Collective Agreement has been executed.
A Chairperson of the Collective Bargaining Committee and its members shall then be elected at the first meeting after the negotiated Collective Agreement has been signed.
- 6.3.3 Notwithstanding Article 6.3.1, the Faculty Members on the Board of Governors shall serve an initial two consecutive years and shall be eligible to stand for one additional two-year term after the first term.
- 6.3.4 If the Association resolves that a Faculty Member on the Board of Governors should be replaced at the end of any year, a new member may be elected and nominated to the Minister.
- 6.4 Re-election of Officers
 - 6.4.1 All officers shall be eligible for re-election except as specified in Article 6.3.3.

ARTICLE 7.0 The Executive of the Association

- 7.1 During the period from the April Regular Meeting to August 14 of each year the Executive-elect will be considered part of the Executive Board but may not vote at Executive Meetings.
- 7.2 Any direct remuneration and release time of officers of the Association for services rendered to the Association shall be in accordance with, but not limited to, the provisions of the Collective Agreement with the exception that reimbursement for vehicle travel between Fairview and Grande Prairie Campuses shall be capped at fifty dollars (\$50) per round trip.
- 7.3 Executive officers, as well as other members of the Association, are entitled to receive reimbursement for expenses directly incurred in executing the business of the Association.

ARTICLE 8.0 Functions of the Executive

- 8.1 Subject to these Bylaws being properly enacted or amended and to any enabling motions passed by the Association, the Executive shall have the power to manage, operate, and direct the affairs of the Association between Association meetings.
- 8.2 The Executive shall act as the liaison body between the Association and the Board.
- 8.3 The Executive shall call Regular and Special Meetings of the Association in a manner set forth in Article 11.2.
- 8.4 The Executive shall have the power to receive funds on behalf of the Association and expend funds as directed by the Association.
- 8.5 The Executive shall present as early as possible, an annual, independently audited financial statement for the preceding fiscal year.
- 8.6 The Executive shall present at the October Regular Meeting of the Association a budget for the operation of the Association for the ensuing year.
- 8.7 The Executive shall coordinate the preparation of positions on items of interest to be considered by the Association.
- 8.8 The Executive shall review the Bylaws as needed and if appropriate, propose changes.

ARTICLE 9.0 Vacancies

- 9.1 An Executive office becomes vacant with the death, resignation, loss of eligibility or removal of the holder of the said office.
- 9.2 An Extraordinary Resolution passed at a meeting of the Association may declare an Executive position vacant if the member is no longer performing the duties of the position.
- 9.3 In the event of a vacancy in the Executive, the position shall be filled by election at an Association meeting and the elected officer will serve for the completion of the term of office. Should the position of Faculty Member on the Board of Governors become vacant, the Minister shall be informed of the new nominee.

- 9.4 The Executive can fill critical committee vacancies as deemed necessary.

ARTICLE 10.0 Proceedings

- 10.1 The proceedings of the Association shall be governed by “Roberts Rules of Order.”
- 10.2 If proceedings are seriously interrupted and order cannot be restored, the Chair of the meeting may adjourn the meeting. A Special Meeting shall be called to complete the agenda.

ARTICLE 11.0 Meetings

- 11.1 Meetings of the Executive
- 11.1.1 The President normally shall call monthly meetings of the Executive.
- 11.1.2 Special Meetings of the Executive may be called by the President or by a simple majority of the Executive.
- 11.1.3 At any meeting of the Executive, four voting members shall constitute a quorum.
- 11.2 Association Meetings
- 11.2.1 Regular Meetings of the Association shall normally be held in October, December, February, and April and the dates shall be the final authority of the Association.
- 11.2.2 Elections will normally be conducted by ballot at the April Regular Meeting. Nominations will be accepted until balloting begins for the position.
- 11.2.3 Special Meetings of the Association may be held at the discretion of the Executive or within ten (10) working days of a request for a meeting made to the Executive by ten (10) percent of the full-time members of the Association as determined annually by a membership count as of October 15.
- 11.2.4 Written notice of all Regular Meetings shall be given at least five (5) working days prior to the date of the meeting.

11.2.5 Written notice of all Special Meetings shall be given at least two (2) working days prior to the date of the meeting.

11.2.6 Quorum for all Association meetings shall be one-third of the full-time membership.

11.2.7 Members who have given notice of absence for professional reasons will be considered present for the purpose of establishing a quorum.

ARTICLE 12.0 Absentee Voting

12.1 A member who is absent (not attending in person or through electronic means - e.g., Zoom) from an Association meeting may vote by absentee ballot.

12.2 The Secretary shall record the names of all absentee voters no later than 24 hours prior to the meeting.

12.3 The absentee ballot shall be emailed to the Secretary no later than 24 hours prior to the meeting.

12.4 An absentee ballot shall be counted with the other ballots.

ARTICLE 13.0 Signing Authority

13.1 The general signing authority for the Association is vested in the President and Secretary.

13.2 Signing authority for the Collective Agreement and Memoranda of Agreement are vested in the President and Chairperson of the Collective Bargaining Committee.

13.3 Signing authority for monetary operations is specified in Appendix 2.

ARTICLE 14.0 Custody and Use of the Seal

14.1 The Secretary shall have custody of the seal of the Association.

14.2 The seal of the Association shall be used over the signature of two Executive officers granted signing authority by the Association.

- 14.3 The seal may be used on audited financial statements, official correspondence, finalized Collective Agreements, and on any other documents deemed appropriate by the Executive or the membership of the Association.

ARTICLE 15.0 Deduction of Membership Fees

- 15.1 The Secretary, in consultation with the Treasurer, shall ensure that the Polytechnic provides the ASA Executive with a list of the members of the Association and the membership fees that are to be collected for the Association. The Polytechnic shall be given the power to deduct such fees from the wages of the members and these fees are to be turned over to the Association.

ARTICLE 16.0 Committees of the Association

- 16.1 All committees established by the Association are responsible and accountable to the Association. The committees will prepare a report and recommendations for the consideration and approval of the Association five days prior to each General meeting.
- 16.2 Standing Committees
- 16.2.1 Collective Bargaining Committee
- 16.2.1.1 There shall be a Collective Bargaining Committee composed of six (6) members of the Association with no more than two members from any Department. One member will be elected Chairperson by the Association, and one member may be elected Vice-Chair by the Committee.
- 16.2.1.2 The Collective Bargaining Committee shall represent the Association to the Board on all matters concerning collective bargaining and terms and conditions of employment.
- 16.2.1.3 The Committee shall negotiate with the Board in good faith.
- 16.2.1.4 The opening interests of the Collective Bargaining Committee shall be revealed to the membership before the beginning of negotiations.

- progress
- 16.2.1.5 The Collective Bargaining Committee shall keep the Executive and the membership informed of the progress of negotiations with the Board.
 - 16.2.1.6 The Collective Bargaining Committee shall have the power to sign an interim letter of agreement on behalf of the Association.
 - 16.2.1.7 After the Collective Bargaining Committee signs an interim letter of agreement, the letter of agreement must be ratified by the members and the Board before it comes into effect.
 - 16.2.1.8 Collective Agreements shall be signed by the President of the Association and the Chairperson of the Collective Bargaining Committee when authorized to do so by a meeting of the Association, with at least five working days' notice of a ratification vote. Notice shall be accompanied by the draft of the proposed agreement.
- 16.2.2 Nominating Committee
- 16.2.2.1 There shall be a Nominating Committee composed of three (3) full-time members of the Association. One member shall be elected Chairperson by the Committee.
 - 16.2.2.2 The Nominating Committee shall be elected at the October Regular Meeting. Elected members will serve a one-year term.
 - 16.2.2.3 The Nominating Committee shall be responsible for proposing a slate of candidates for all elected positions and for the conduct of elections at the April Regular Meeting.
 - 16.2.2.4 The Nominating Committee shall put forth names of Association members to serve on such standing and ad hoc committees of the Association as deemed necessary. The Nominating Committee shall attempt to ensure diverse representation from the Polytechnic departments.

- 16.2.2.5 The Nominating Committee shall be responsible for proposing Association members as representatives of the Association to Polytechnic committees.

16.2.3. Professional Standards Committee

- 16.2.3.1 Professional Standards are established by the Code of Professional Standards and Conduct (Appendix 3). The composition of the Professional Standards Committee shall be:

- 16.2.3.1.1 the Vice-President of the Association as voting Chairperson,

- 16.2.3.1.2 the Chairperson(s) of the Department(s) whose member is under review with respect to Professional Standards,

- 16.2.3.1.2.1 If the Department Chairperson is the member under review, the ASA Vice-president shall select an alternate member.

- 16.2.3.1.3 a full-time member of the Association elected at the April Regular Meeting each year.

- 16.2.3.2 In the event that any member of the Committee should have a conflict of interest (in the opinion of the Executive) or hold two of the statutory designations in Article 17.2.3.1 or be unable to act for any reason, the Executive of the Association shall elect an appropriate alternate member.

- 16.2.3.3 The Committee shall preside over the inquiry into the conduct of a member with respect to the Code of Professional Standards and Conduct.

- 16.2.3.4 A written report of an alleged breach of the Code of Professional Standards and Conduct must be submitted in a signed statement to the Chairperson of the Professional Standards Committee.

- 16.2.3.5 The Chairperson of the Professional Standards Committee shall call a meeting to initiate an inquiry into a written report of unprofessional conduct.
- 16.2.3.6 Where there is an allegation against a member, the Chairperson of the Committee, by the end of two (2) working days shall inform, in writing, the member concerned of the source and nature of the allegation. The member concerned shall have equal access to all information gathered by the Committee and shall be entitled to present their case to the Committee.
- 16.2.3.7 All information gathered by the Committee shall be considered confidential communication, and any breach of this confidence beyond the Committee members, the member concerned, and legal counsel on the part of any individual shall be considered a breach of professional ethics.
- 16.2.3.8 Within twenty (20) working days of initiation of the inquiry, the Chairperson of the Committee shall present a statement in writing to the member concerned, indicating one of the following decisions:
 - 16.2.3.8.1 that the allegations were dismissed for lack of evidence. No record of the allegation shall be retained in the file of the academic staff member held by the Association.
 - 16.2.3.8.2 that there has been a minor violation of the Code of Professional Standards and Conduct. A record of the violation shall be retained in the file of the academic staff member and no further action shall be taken. In the event that there is no recurrence of the infraction or further complaints made against the member within two years, the notation shall be removed from the file.
 - 16.2.3.8.3 that the Committee has informed the Executive of the Association that the member has committed a serious violation of the Code of Professional Standards and Conduct.

- 16.2.3.9 The member concerned and anyone bringing an allegation will be informed of the Committee's decision within two (2) working days.
- 16.2.3.10 Should anyone bringing an allegation not be satisfied with the decision of the Professional Standards Committee, the person(s) may appeal within ten (10) working days to the Executive.
- 16.2.3.11 Any member charged by the Committee with a violation of the Code of Professional Standards and Conduct must be allowed ten (10) working days to present an appeal in writing and/or in person before the Executive. The member must have received all information accumulated by the Committee during the inquiry for preparation of a rebuttal.
- 16.2.3.12 The Executive must make a final decision on the Committee's decision within twenty (20) working days.
- 16.2.3.13 The Executive shall forthwith inform the member concerned in writing of its decision.
- 16.2.3.14 Where it is the resolution of the Executive that the member has committed a serious violation of the Code of Professional Standards and Conduct, the President of Northwestern Polytechnic shall be so informed.
- 16.2.3.15 The decision of the Executive is final.

16.3 Ad Hoc Committees

- 17.3.1 Ad Hoc Committees may include both Full and Part-time members.

ARTICLE 17.0 Bylaw Change

- 17.1 The Bylaws of the Association shall not be repealed, added to, or amended, unless by an Extraordinary Resolution of the eligible voting members present at a properly convened and constituted Association meeting at which such repeals, additions, or amendments are submitted.

- 17.2 Notice of and the text of such resolutions to alter the Bylaws shall be given in writing to the President and shall be sent by the President to the members of the Association at least ten (10) working days prior to the date of the meeting.

ARTICLE 18.0 Windup and Dissolution Clause

- 18.1 In the event of the Association's impending involuntary windup or dissolution as a result of legislation, regulation, or ministerial policy, all of its assets, after payment of its liabilities, shall be distributed as per Article 18.4 below.
- 18.2 In the event of impending involuntary windup, the Officers of the Association shall hold a Special Meeting of the Association. At this meeting, the Officers shall put forward the evidence prompting their action in calling a Special Meeting for the purposes of dissolving the Association and distributing its assets.
- 18.3 Voluntary windup or dissolution shall follow the same procedural provisions (notice, voting procedures, etc.) as Article 18.2
- 18.4 In the event the Association is wound up or dissolved in the course of its ordinary business, all of its assets, after payment of its liabilities, shall be distributed in one of the following ways, or in a combination thereof.
- 18.4.1 Disposition of the assets (or portion thereof) to the current members.
- 18.4.2 Assignment of the assets to a successor staff association or to another organization designated by the members.
- 18.4.3 Assignment of the assets to a trustee as designated by the members to be held on terms approved by the members.

APPENDIX NUMBER 1

Fee Structure for Northwestern Polytechnic Academic Staff Association

- ARTICLE** 1.0 The monthly assessment for each member will be a maximum of 0.02 of the member's gross salary as determined by the finance office.
- 1.1 Member fees will be distributed between core activities and the defense fund.
- 1.2 A Full member of the Association who takes unpaid leave shall pay \$2.00 per month.

APPENDIX NUMBER 2

Monetary Policy for the Operation of the Northwestern Polytechnic Academic Staff Association

- ARTICLE** 2.0 The Association shall adopt August 14 as the year-end for the operations of the Association.
- 2.1 The Association shall annually undergo an independent audit of the financial transactions ending July 31 of any year, which shall include particulars of the assets, liabilities, revenues, and expenditures of the Association.
- 2.2 All monies made payable to the Association shall be deposited in the Association account.
- 2.3 All monies payable by the Association shall be disbursed by cheque or by secure e-transfer. Where secure e-transfer is the disbursement method a maximum disbursement amount of One Thousand Dollars (\$1000) applies.
- 2.4 All receipts and all payments made in respect of Association business shall be supported by documentation and shall be kept on file for verification for such time as required by the Governments of Canada and Alberta.
- 2.5 An interim independent audit may be performed immediately following the resignation of a member from an Executive position that carries with it signing authority.
- 2.6 Borrowing Power and Procedure
- 2.6.1 The Executive may be empowered to borrow funds on behalf of the Association by Extraordinary Resolution of the Association.
- 2.6.2 Written notice of such a resolution specifying the amount required and purposes for such funds as well as the proposed scheme of repayment must be provided to the membership five (5) working days prior to a meeting.
- 2.7 The President, Vice-President, Secretary, and Treasurer shall be empowered to authorize disbursements. Two signatures or otherwise electronic approvals are required.

APPENDIX NUMBER 3

Code of Professional Standards and Conduct

- ARTICLE** 3.0 This Association is a professional organization, and its members shall act and be treated in a professional manner.
- 3.1 This Code of Professional Standards and Conduct shall apply to all members of the Association.
- 3.2 Principles applying to all Association members:

3.2.1 Relation to the Polytechnic

- 3.2.1.1 An Association member is guilty of unethical conduct if they contravene or fails to honor Association agreements and policies.
- 3.2.1.2 An Association member shall fulfill their contractual and academic obligation to the Polytechnic and perform the duties of their position with the strictest integrity.
- 3.2.1.3 An Association member shall abide by the rules and regulations established by the Polytechnic provided that these do not infringe upon academic freedom, or the principles expressed in the Code of Professional Standards and Conduct.
- 3.2.1.4 An Association member shall act in a manner that promotes confidence in their profession even when explicit ethical guidelines do not exist.
- 3.2.1.5 Association members should avoid the following potential conflicts of interest:
- 3.2.1.5.1 authorizing the purchase by the Polytechnic of equipment, supplies or services from a source in which they or their immediate family have a personal interest.

3.2.1.5.2 hiring any member of their immediate family as employee or consultant in any project supported by funds administered through the Polytechnic.

3.2.1.5.3 being directly associated with the ownership of any enterprise which hires or proposes to hire Polytechnic personnel.

3.2.2 Relation to the Association

3.2.2.1 Association members shall not speak on behalf of the Association without the knowledge and consent of the Executive.

3.2.2.2 Association members shall not divulge confidential information pertaining to Association affairs received in the course of their professional duties, except as required by law or with consent of the Executive.

3.2.2.3 Association members shall honor and uphold all agreements and policies adopted by the Association.

3.2.3 Relationship with Other Faculty

3.2.3.1 No Association member shall violate a stated or implicit bond of secrecy, privilege, trust, or confidence between faculty members, except as required by law, or with consent of the Executive.

3.2.3.2 In presenting a professional judgment of a colleague, an Association member is obliged to be fair and objective. Association members shall honor all verbal and written agreements amongst themselves as to their professional responsibilities and obligations.

3.2.3.3 An Association member shall not publicly criticize a colleague regarding their faculty function.

3.2.3.4 An Association member shall not divulge confidential information about a colleague gained during participation on committees, except as required by law or with consent of the Executive.

- 3.2.3.5 An Association member shall not knowingly make defamatory and/or false statements about their colleagues. It is unethical for an Association member to undermine student or faculty confidence in a colleague.

3.3 Principles Applying to the Exercise of Authority

- 3.3.1 No Association member shall use their authority in an excessive or abusive manner nor make extraordinary or contradictory demands on their colleagues or students.
- 3.3.2 No Association member shall unfairly jeopardize the career or employment of a colleague or student.
- 3.4.3 No Association member shall inflict academic reprisals upon students for non-academic disagreements or conflict.

APPENDIX NUMBER 4

Election Procedure of Academic Staff Representatives on the Academic Council

ARTICLE 4.0 The election of an academic staff member to Academic Council shall be in accordance with the Academic Council Authority and Bylaws Policy.

APPENDIX NUMBER 5

Grievance Committee

ARTICLE 5.0 Preamble: The administration of Academic Staff and the Collective Agreement requires the continuous active involvement of the Members of the Grievance Committee. These members shall ensure that they are well informed on the Collective Agreement, grievance procedures, and labour relations.

5.1 Responsibilities of the Grievance Committee

5.1.1 The Chairperson of the Grievance Committee shall keep the Association informed on current grievance issues and procedures, while maintaining confidentiality.

5.1.3 The Grievance Committee shall maintain records of all proceedings. This shall be the responsibility of the Grievance Committee Chairperson, who is a voting member on this Committee.

5.2 Procedures

5.2.1 The primary function of the Grievance Committee Chairperson is to consult on behalf of the Executive with any member who has a concern which may be related to the Collective Agreement. The Chairperson will assist the member in clarifying the nature of the potential grievance and attempt to resolve the matter through discussions with relevant parties. They will be available to represent the member and the Association in any deliberations on the matter.

5.2.2 The Grievance Committee reviews unresolved potential grievances; considers consequences, costs, and benefits; and recommends actions.

5.2.3 With the agreement of the Grievance Committee and the Executive, resolution of the Grievance will proceed according to the terms of the Collective Agreement.

APPENDIX NUMBER 6

Grievance Appeal Committee

ARTICLE 6.0 Preamble: The administration of Academic Staff and the Collective Agreement requires the active involvement of the Members of the Grievance Appeal Committee. These members shall ensure they are well informed on the Collective Agreement, grievance procedures, and labour relations.

6.1 Composition of the Committee

6.1.1 The Grievance Appeal Committee is composed of a chair and two members.

6.1.2 At the April regular meeting each year, the association will elect and rank five tenured members, not more than one member from any one department. The nominating committee will randomly rank the members and announce at that meeting.

6.1.3 For any Grievance that reaches Step 7 of an Individual Grievance (Article 16.0 Grievance Procedures of ASA/Board of Governors Collective Agreement), the Grievance Appeal Committee will be composed of the first three (3) members out of the five elected above who are not in the Department from which the Grievance has arisen.

6.1.4 The first member of the above ranked three will act as the voting Chairperson of the Grievance Appeal Committee for this particular Grievance.

6.2 Procedures

6.2.1 The Grievance Appeal Committee shall review information obtained from the member grieving and the Association's executive. The Grievance Appeal Committee will consider consequences, costs, and benefits and rule if this Grievance should proceed to arbitration according to the terms of the Collective Agreement

6.2.2 The Grievance Appeal Committee shall maintain confidentiality of the Grievance.

6.2.3 The Grievance Appeal Committee will proceed according to the terms in Step 7 of the Collective Agreement.