



McMaster University Faculty Association

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BY-LAWS

(Amended April 1987; April 1989; May 1990; March 1994;
May 1995; August 1997; July, 2008, June 2010, December 2014, January 2017)

1. (a) NOMINATING COMMITTEE

The Nominating Committee shall be appointed by the Executive and shall normally consist of the President, the Vice-President, the Past-President, and three full members of the Association in good standing. The President shall normally serve as Chair.

(b) NOMINATIONS

After consulting with the membership, the Nominating Committee shall draw up a slate of candidates for the Executive consisting of:

- (i) at least one individual for Vice-President
- (ii) at least ten individuals for Members-at-Large.

The incumbent Vice-President normally succeeds to the office of President. If the Vice-President declines right of succession, or if the office of Vice-President is vacant, or if there is an Acting Vice-President, the office of President shall be filled by election, in which case the Nominating Committee shall normally nominate at least one candidate for the office of President. At least four weeks prior to the annual general meeting, the Nominating Committee's slate of candidates shall be mailed to all full members, whereupon any full member may nominate further candidates for President, if the office of President is to be filled by election, for Vice-President or for members-at-large.

(c) FURTHER NOMINATIONS

If further nominations are submitted, evidence of the nominee's consent together with supporting signatures of five full members in good standing must be submitted in writing to the Chair of the Nominating Committee within two weeks of the mailing. A candidate for the office of President, when the office is to be filled by election may also be a candidate for the office of Vice-President and for member-at-large. If there are further nominations for the office of Vice-President, then all candidates for Vice-President will also stand for member-at-large. An electronic ballot containing the Nominating Committee's slate, together with any further nominations duly made, shall be circulated to all full members at least ten days prior to the annual general meeting. The Executive shall appoint a Returning Officer, nominated by the President, who will be responsible for conducting the election. One week shall be allowed for balloting. The method of voting shall be a preferential balloting system. When there is an election for the offices of President or of Vice-President, the candidate(s) who receive(s) the majority of votes shall be declared elected. Subject to the provisions of Article 4(b) of the Constitution, the ten candidates for members-at-large receiving a majority of votes shall be declared elected. The Returning Officer shall announce the results of the election at the annual general meeting.

(d) BY-ELECTIONS

By-elections shall be conducted in the following manner. A Nominating Committee as specified in By-Law 1 (a), shall nominate a candidate for each vacancy and shall invite further nominations as specified in By-Law 1 (b). If there is more than one candidate for each vacancy, by-elections shall be conducted at a general meeting or by electronic ballot within one month of the occurrence of the vacancy.

2. (a) VACANCY IN OFFICE OF THE PRESIDENT

If a President fails to serve a full term of office and the Vice-President agrees to succeed for the remainder of that term, the Executive Committee may call a by-election for the office of Vice-President in accordance with By-Law 1 or may appoint an Acting Vice-President. If such an appointment is made, it shall be put to the membership for confirmation at a general meeting or by electronic ballot within one month of the occurrence of the vacancy.

(b) BY-ELECTION FOR PRESIDENT

If a President fails to serve a full term of office and the Vice-President declines to succeed for the remainder of that term, the Executive Committee may call a by-election in accordance with By-Law 1 (d), or may appoint an Acting President. If such an appointment is made, it shall be put to the membership for confirmation at a general meeting or by electronic ballot within one month of the occurrence of the vacancy.

(c) BY-ELECTION FOR VICE-PRESIDENT

If the Vice-President fails to serve a full term of office, the Executive Committee may either call a by-election, in accordance with By-Law 1 (d), or appoint an Acting Vice-President. If such appointment is made, it shall be put to the membership for confirmation at a general meeting or by electronic ballot within one month of the occurrence of the vacancy.

3. (a) ANNUAL GENERAL MEETING

The annual general meeting shall normally be held in April.

(b) QUORUM AT GENERAL MEETING

Fifty full members shall constitute a quorum of a general meeting.

4. ELECTRONIC BALLOTS

An electronic ballot on any outstanding matter (including ratification of the remuneration agreement) may be ordered by the Executive, or by decision of the membership at a general meeting, or by written request to the President of fifty full members in good standing.

5. STANDING COMMITTEES

Standing Committees of the Association shall be:

Academic Affairs	Membership	Remunerations
Budget Advisory Committee	Pension	Special Enquiries & Grievances
CAUT & OCUFA Policy	Public Relations	Tenure/Permanence
Human Rights and Equity		

6. AD HOC COMMITTEES

Ad hoc committees may be established by the President with the approval of the Executive Committee or of a general meeting of the membership.

7. JOINT COMMITTEES

Joint committees with other University bodies, such as the Senate and the administration, may be established by negotiation between the President of the Association, acting with the approval of the Executive Committee or of a general meeting of the membership, and the President or Provost of the University.

8. MEMBERSHIP FEES

Changes in the membership fees may be proposed by the Executive Committee. The Committee shall inform the membership by written notice of the reasons for the proposed change in fees. An electronic ballot on the matter shall be sent to full members. Approval by a simple majority of members voting is required.

9. MEMBERSHIP - ANOMALOUS CASES

A person otherwise eligible for membership, but not on the regular, full-time University payroll, and hence not subject to fee deduction from salary, may become a member of the Association. Fees for such members shall be equal to one-half of the fee for the salary floor of the individual's rank, paid on a quarterly basis. Membership shall begin upon payment of the first quarterly fee.

10. (a) MEMBERSHIP

McMaster University has made membership in the McMaster University Faculty Association (MUFA) a condition of employment for faculty on the CP/M Scheme and senior academic librarians.¹ New faculty and librarians who are not required to be members of the Association may join the Association at any time during the first year of their appointments. Their membership fees will be calculated from the beginning of the month in which they join. For all other faculty and librarians not required to join the Association, the membership year begins on July 1 of each year. Fees for faculty and librarians who join after the beginning of the membership year will be payable from the beginning of the membership year (July 1).

(b) MEMBERSHIP - WITHDRAWAL

When a faculty member on the CP/M Scheme or a senior academic librarian objects to membership in the Association and directs the University by letter copied to the Association, giving 30 days notice prior to the first day of the month in which the change is to take effect, not to pay to the Association the amount equal to the membership dues that have been deducted from his/her salary, such amount shall be paid to a recipient agreed upon from time to time by the Joint Committee. For faculty and librarians not required to join the Association, withdrawal from the Faculty Association shall be by written notification to the Association or, in the case of a person remitting fees directly to the Association office, when six month's fees are owing. In the latter case, membership may be taken up again at any time in the year; however, fees for faculty and librarians who rejoin after the beginning of the membership year will be payable from the beginning of the membership year (July 1).

11. FACULTY ASSOCIATION COUNCIL

The Executive Committee may establish a Council to serve in an advisory capacity to the Executive Committee and as a means of communication between the Executive and the membership. If established, the Council shall consist of one representative from each teaching Department, Area or School or from the University libraries when the constituency concerned has at least three full members of the Association.

¹The term "senior academic librarians" refers to those librarians who are excluded from the McMaster University Academic Librarian Association.

Representatives of Departments/Areas/Schools will be identified and invited to serve on Council by the Nominating Committee as constituted in By-Law 1 (a). Council shall meet at the call of the President.

12. RETURNING OFFICER

The Executive Committee's appointment of the Returning Officer for the annual election shall be made known at the time the Nominating Committee's slate for the Executive Committee is mailed to the membership. The Returning Officer shall also serve in any elections held during the following year. The Returning Officer may not be a candidate in any election.

13. INDEMNIFICATION

The Association shall indemnify and save harmless, out of the funds of the Association, every director, officer, or employee of the Association and other person who has undertaken or is about to undertake any liability on behalf of the Association or any organization controlled by it, and their heirs, executors and administrators, and estate and effects respectively, from and against:

- (a) all costs, damages, charges and expenses which a director, officer, employee or other person sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against them, or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by them, in or about the execution of the duties of their office or in respect of any such liability;
- (b) all other costs, damages, charges and expenses which a director, officer, employee or other person sustains or incurs in or about or in relation to the affairs of the Association;

Except such costs, damages, charges or expenses as are occasioned by willful neglect or default.