
I. DEFINITIONS

The following terms are defined as follows in this constitution:

Business Agent

Any consultant or contracted firm hired by the Dawson Teachers' Union for a particular task;

Communicate

To make available information to members by any means at the disposal of the D.T.U., including the College internal mail, bulletin boards, telephone, and D.T.U. publications;

Day

A working day unless otherwise specified;

D.T.U. Employee

A person who is not a union officer and whose salary is paid by the D.T.U.;

Federation or Confederation

A syndical body, determined in accordance with Article XXV, to which the D.T.U. is affiliated;

Member

Any teacher who has joined the D.T.U. according to Article VI and continues in the employ of Dawson College as a teacher.

Union Officer

Any member occupying a position in the D.T.U., or as otherwise specified in the Collective Agreement, as a result of a nomination, election or appointment by the members;

Written Notice

A written document distributed to each union member by the College internal mail or by Canada Post.

II. NAME

The Union shall be called the Dawson Teachers' Union / *Le Syndicat des Professeurs du Collège Dawson*.

III. HEAD OFFICE

The head office of the Union shall be located at 3040 Sherbrooke Street West, Westmount, Québec.

IV. JURISDICTION

The jurisdiction of the Union shall cover teachers who are in good standing with the Union.

V. OBJECTIVES

The objectives of the Union shall be the advancement and protection of the professional and social welfare of its members, the promotion of research in the field of education, and the protection of its members' economic welfare by the securing of collective agreements.

VI. ELIGIBILITY FOR MEMBERSHIP

1. All teachers employed by Dawson College to teach courses covered by the Collective Agreement are eligible for D.T.U. membership.
2. To be a member in good standing of the Union, a person shall:
 - a. be employed by Dawson College;
 - b. pay the membership fee and regular dues;
 - c. agree to abide by the present statutes and conform to the by-laws of the Union.
3. A written notice shall be circulated at the beginning of each semester to inform eligible members of the mechanism for joining the D.T.U.

VII. FEES AND DUES

The membership fee shall be one dollar (\$1.00). The annual dues for an individual shall be one and one half (1.5) per cent of that individual's gross income from Dawson College. Fees and dues can be established and modified only by a General Assembly as per Article XVI, Clause 3c.

VIII. EXECUTIVE OFFICERS

The Executive Officers administer the Union and shall be the following four (4) members:

- the President
- the First Vice-President (Internal)

- the Second Vice-President (External)

- the Secretary-Treasurer

IX. DUTIES OF THE EXECUTIVE OFFICERS

1. The **President** shall:

- a. be the official Union representative and be responsible for the overall supervision and administration of the Union;
- b. preside at all meetings of the Executive Officers and Executive Council;
- c. preside at meetings of the General Assembly if the First Vice- President is absent or if this position is vacant;
- d. sign all contracts, minutes and agreements in the name of the Union and ensure that all measures contained therein are executed;
- e. be an ex-officio member of all committees of the Union;
- f. be a member of the C.R.T. and shall coordinate the D.T.U. delegation of this body if no C.R.T. Coordinator has been elected.

2. The **First Vice-President** (Internal) shall:

- a. assume the duties of the President in his or her absence, and become Acting President if the position of President is vacant;
- b. preside at all meetings of the General Assembly;
- c. maintain relations with other syndical bodies within the College;
- d. assist the President in C.R.T. matters;
- e. assume responsibility for all D.T.U. activities relating to health and safety.

3. The **Second Vice-President** (External) shall:

- a. maintain D.T.U. relations with the Federation and all other parties outside the College, as may be necessary;

- b. represent the D.T.U. at all Intersyndical Councils of the Federation and coordinate D.T.U. delegates at Federative Assemblies;
- c. be responsible for communicating information generated by such meetings to the Executive Council and General Assembly;
- d. become Acting First Vice-President if this position is vacant.

4. The **Secretary-Treasurer** shall:

- a. be responsible for taking minutes at meetings of the Executive Officers, Executive Council and General Assembly;
- b. circulate the minutes of the meetings of the Executive Council and General Assembly to the members at least five (5) days prior to the date of subsequent meetings;
- c. inform members, within at least five (5) days, of any meeting of the Executive Council or General Assembly;
- d. supervise the financial records of the D.T.U. and be a non- voting member of the D.T.U. Audit Committee;
- e. in consultation with the other Executive Officers, prepare an annual budget to be approved by the General Assembly;
- f. convene the Audit Committee when a review of financial records and/or selection of an external auditor is required;
- g. present a summary of the budget by category to the Executive Council at least once every two months;
- h. be an ex-officio member of the Professional Development Fund Committee;
- i. witness the signature of the President on all contracts and agreements in the name of the Union;
- j. assume the role of office manager by ensuring the proper use of D.T.U. resources, including the setting of priorities for tasks for D.T.U. employees;
- k. maintain an up-to-date list of D.T.U. members; ensure that all new members pay

their membership fee; and circulate notices at the beginning of each semester informing new teachers of the mechanism for joining the D.T.U.;

- l. maintain an up-to-date compilation of D.T.U. standing motions;
 - m. be a member of the board of Union-affiliated publications.
5. The Executive Officers shall meet on a regular basis or whenever called by the President.
 6. The Executive Officers shall regularly communicate to members news of Union activities and concerns.
 7. The Executive Officers shall assume the coordination duties of the standing committees of the Executive Council when these seats are vacant.
 8. The Executive Officers shall give to their successors all the information and the materials relative to their position in the Union.

X. EXECUTIVE COUNCIL

1. The Executive Council formulates Union policies and shall be comprised of the four (4) Executive Officers of the Union, as well as seventeen (17) Union members elected by their respective constituencies. These seventeen (17) seats shall be distributed as follows:
 - a. The coordinators of the following standing committees of the Executive Council:
 - i. The D.T.U. delegation on the C.R.T.
 - ii. The Women's Committee
 - iii. The Information Committee
 - iv. The Educational Affairs Committee
 - v. The Retirement Committee
 - vi. The Non-Permanent Teachers' Committee

These coordinators shall serve as D.T.U. representatives at the Federative Assemblies and coordinate local activities within the Federation.

The Information Committee Coordinator shall sit on the board of any Union-affiliated publications, excluding those that are publications of the Executive Officers.

- b. Representatives of the following constituencies:
 - i. Arts sector (3 members)
 - ii. Careers sector (3 members)
 - iii. Science sector (3 members)
 - iv. Physical Education (1 member)
 - v. Teachers on availability (1 member)
 - vi. Continuing Education Teacher (1 member)

- 2. The size of the Executive Council and the distribution of its seats can only be altered by a two-thirds (2/3) majority vote of the General Assembly.

XI. RESPONSIBILITIES AND PROCEDURES OF MEETINGS OF THE EXECUTIVE COUNCIL

- 1. The Executive Council shall be the supreme decision-making body of the Union between General Assemblies. Except for powers reserved for the General Assembly in Article XVI, Clause 3, the Executive Council can make decisions on all D.T.U. matters, including the right to make donations of up to \$250 to a single organization.
- 2. The Executive Council shall also set the proposed agendas and dates of the meetings of the General Assembly; form whatever committees are necessary to study, discuss, promote or implement the objectives of the Union; receive and act on complaints from members; appoint the Chief Returning Officer to administer D.T.U. elections; and approve the filing for arbitration of any syndical grievance.
- 3. In the event of a disagreement on policy between the Executive Council and the Executive Officers, the decision of the Executive Council shall prevail.
- 4. The proposed agenda for all meetings of the Executive Council shall be prepared by the

Executive Officers and must be circulated to the members five (5) days prior to all meetings.

5. The Executive Council shall meet on a monthly basis and shall be presided over by the President of the Union, or, in the case of the President's absence, or if this position is vacant, by the First Vice- President. Minutes of Executive Council meetings shall be the responsibility of the Secretary-Treasurer and must be distributed to all members at least five (5) days prior to the following meeting.
6. A quorum for Executive Council meetings shall consist of fifty (50) per cent of the elected members of the Executive Council.
 - a. If a quorum is not achieved in the first forty-five (45) minutes, the meeting cannot be called to order and the members present at the next meeting automatically constitute a quorum.
 - b. If quorum is not achieved in the first forty-five (45) minutes, the Chair may still use this time to provide information to the members.
 - c. Motions passed while a meeting has quorum shall be valid even if the meeting subsequently loses quorum.
7. Special meetings of the Executive Council may be called by a majority of the Executive Officers or upon written request of a majority of the members of the Executive Council, excluding Executive Officers.
8. Meetings of the Executive Council are open to all Union members who may exercise the right to speak but not the right to make motions or vote.
9. Any Union officer who has a conflict of interest (such as a direct or indirect interest in an enterprise, employment status, remuneration) must abstain from voting and avoid influencing decisions relating to the matter in question.

XII. STANDING COMMITTEES NOT REPRESENTED ON THE EXECUTIVE COUNCIL

1. The following committees do not have a vote on the Executive Council:
 - a. The Audit Committee shall
 - i. consist of at least three (3) members responsible for reviewing the financial records of the D.T.U., including its expenditures and receipts, and recommending the selection of an auditor;
 - ii. carry out any further duties specified by Union policies;
 - iii. be responsible to the Executive Council and General Assembly of the D.T.U.
 - b. The teacher members of the Comité des Relations du Travail (C.R.T.) shall:
 - i. include the President and First Vice-President of the Union;
 - ii. be responsible to the Executive Council and General Assembly of the D.T.U.
 - c. The teacher members of the Professional Development Fund Committee shall:
 - i. include the Secretary-Treasurer of the Union;
 - ii. allow its records to be reviewed by the Audit Committee of the Executive Council and the Secretary-Treasurer;
 - iii. be responsible to the Executive Council and General Assembly of the D.T.U.
2. The Executive Council may create or disband other Standing Committees, as it deems necessary.

XIII. D.T.U. REPRESENTATIVES ON ADMINISTRATIVE BODIES OF THE COLLEGE

1. When the D.T.U. is called upon to carry out elections for teacher representatives on the Dawson Board of Governors, *Commission d'Études*, and Senate, it shall carry them out in the same manner as it would for any elected position involving its members.
2. When the D.T.U. is called upon to provide representatives for standing committees of the

Board, *Commission d'Études*, and Senate, the Executive Council shall decide whether to elect or nominate members to fill these positions.

XIV. ELECTION OF UNION OFFICERS AND TERMS OF OFFICE

1. All Executive Officers, members of the Executive Council and its standing committees, and D.T.U. representatives on College administrative bodies and their standing committees shall be elected by the members annually between April 15 and May 7.
2. The voting shall be by secret ballot and all elected members shall assume office on June 1.
3. Any member in good standing is eligible for a position as a Union officer.
4. A member may be put into nomination for a Union position only if a nomination form has been duly filled out, signed by five (5) members in good standing in the candidate's constituency, signed by the candidate himself or herself, and received by the Chief Returning Officer or his or her representative before the deadline for the end of the nomination period.
5. All candidates for elected positions based on a D.T.U.- wide vote (as opposed to a constituency vote) are required, as a condition for their candidacy, to attend a meeting of the General Assembly, prior to the election, and to present and publicly defend a position paper on their objectives in seeking Union office. If this condition is not met, the candidate's name is to be struck from the ballot, unless the candidate is prevented from being present by extenuating circumstances acceptable to the General Assembly.
6. All candidates for elected positions based on a D.T.U.-wide vote (as opposed to a constituency vote) must receive, for an election to be valid, a minimum of fifty (50) affirmative votes. In the event of a single candidacy, a ballot must be circulated to the members giving them the opportunity to accept or reject the candidate. In this case, the single candidate must also receive at least fifty (50) affirmative votes for the election to be valid.
7. All candidates for Board, *Commission d'Études* and Senate positions shall be elected by these same procedures, except that they shall not be required to attend and defend a position paper at a General Assembly prior to the election.

8. The Chief Returning Officer will vote to break any ties, but will not vote otherwise.

XV. REMUNERATION

1. Other than release time, elected Union officers do not receive any remuneration except for travel and other expenses incurred in carrying out Union duties.
2. In the event that a Union officer's release time equivalent is paid for in full or in part by the D.T.U., the officer will be paid in a manner resembling as closely as possible the remuneration he or she would have received for an equivalent teaching load measured in F.T.E. (full time equivalency).

XVI. GENERAL ASSEMBLY

1. The General Assembly is the supreme decision-making and policy body of the Union and is composed of all members in good standing of the Union.
2. A General Assembly shall be called by the Executive Council at least once a semester. In addition, the Executive Council can convene the General Assembly whenever it decides that an issue merits such consideration by a two-thirds (2/3) majority vote.
3. A General Assembly must be called by the Executive Council to deal with matters exclusively reserved for General Assembly consideration. These include:
 - a. work stoppages of any kind;
 - b. constitutional amendments;
 - c. fees and dues for D.T.U. membership;
 - d. the size and distribution of seats of the Executive Council;
 - e. the recall of Executive Officers;
 - f. ratification of the hiring of a Business Agent if this person assumes Executive Officer duties.
4. A General Assembly may also be called by the Executive Council to deal with the following matters:

- a. mandates for contract negotiations;
 - b. the adoption of an annual budget;
 - c. donations of over \$250;
 - d. changes to the policy regarding release time for Executive Officers;
 - e. the expulsion and re-admission of members.
5. The Executive Council sets the date and agenda for all meetings of the General Assembly. Minutes of General Assembly meetings shall be the responsibility of the Secretary-Treasurer, who must also distribute these to all members at least five (5) days prior to the following meeting.
6. Members shall be given a written notice at least five (5) days prior to the holding of a General Assembly. However, an emergency General Assembly can be called by the Executive Council with twenty-four (24) hours notice, provided all reasonable efforts have been made to communicate the time and location of the meeting to the members.
7. A special General Assembly of the Union shall be called at any time during the academic year when a petition signed by at least twenty-five (25) members is submitted to the Executive Council. The Executive Council shall call such a meeting not later than five (5) days after receiving such a petition.
8. Thirty (30) members shall constitute a quorum for all meetings of the General Assembly.
 - a. If quorum is not achieved in the first forty-five (45) minutes, the meeting cannot be called to order and the same agenda shall be presented for consideration at the next Executive Council meeting.
 - b. If quorum is not achieved in the first forty-five (45) minutes, the Chair may still use this time to provide information to the members.
 - c. Motions passed while a meeting has quorum shall be valid even if the meeting subsequently loses quorum.
9. All members in good standing of the Union may speak, make motions and vote at a General Assembly.
10. Decisions taken at a meeting of the General Assembly require a simple majority vote and are binding on all members.

11. Any Union officer who has a conflict of interest (such as a direct or indirect interest in an enterprise, employment status, remuneration) must abstain from voting and avoid influencing decisions relating to the matter in question.

XVII. RULES OF ORDER

All meetings of the Union's Executive Officers, Executive Council, General Assembly, and all committees shall be conducted in accordance with accepted parliamentary procedure as specified by Robert's Rules of Order (Coles Publishing, 1991).

XVIII. REMOVAL OF EXECUTIVE OFFICERS

1. The grounds for recall of an Executive Officer include, but are not limited to, misappropriation of funds and failure to carry out the mandate of his or her office.
2. To initiate the procedure for recall of an Executive Officer, a petition outlining the grounds for recall and signed by at least fifty (50) D.T.U. members must be submitted to a meeting of the Executive Council.
3. The petition of recall must be circulated to all members at least five (5) days before the above-mentioned meeting.
4. The motion of recall is then to be placed on the agenda of a special meeting of the General Assembly and must be dealt with at this meeting. This meeting of the General Assembly must be called at least fifteen (15) days following the Executive Council meeting at which the petition was submitted.
5. A two-thirds (2/3) majority vote in favour of recall at a General Assembly is necessary for the recall motion to pass. In addition, the two-thirds (2/3) majority must total at least forty (40) votes for the motion to pass.
6. If a quorum is not achieved at a General Assembly convened to vote on the recall of an Executive Officer, then the Executive Council must meet within the next five (5) days to vote on the recall. A two-thirds (2/3) majority vote of the Executive Council is necessary for the recall motion to pass.
7. When a recall motion passes, the member is immediately removed from office. Elections will

then be organized by the Executive Council to fill the vacant post immediately.

XIX. REMOVAL OF MEMBERS OF THE EXECUTIVE COUNCIL

1. The grounds for recall of an Executive Council member include, but are not limited to, misappropriation of funds and failure to carry out the mandate of his or her office.
2. To initiate the procedure for recall of a member of the Executive Council (other than an Executive Officer), a petition outlining the grounds for recall, and signed by at least twenty (20) per cent of the Executive Council member's constituency, must be submitted to a meeting of the Executive Council. The petition must be circulated among the member's constituents at least five (5) days before this meeting.
3. The Executive Council will then appoint a committee to organize and oversee a recall vote. The vote is to be held within fifteen (15) days of receipt of the petition by the Executive Council. A simple majority of the voting constituents is needed for recall.
4. If the recall vote passes, the member is immediately removed from office. Elections will then be organized by the Executive Council to fill the vacant post immediately.
5. In the event of excessive absence by one of its members (not including Executive Officers), the Executive Council is empowered by a two-thirds (2/3) majority vote to declare the seat vacant and to appoint a temporary replacement from among the members of that constituency. Barring exceptional circumstances, excessive absence shall be defined as absence from three (3) consecutive meetings.
6. Such a decision, and the reasons motivating it, must be communicated in writing to all members within the constituency affected. Within two (2) months following the declaration of a vacancy, an election must be conducted for a permanent replacement.

XX. RESIGNATIONS, WITHDRAWALS AND SANCTIONS

1. Resignations from all elected positions and committees covered by this Constitution shall be submitted to the Executive Council in writing.
2. The Executive Council shall replace the resigning member within two (2) months in a

manner corresponding to the original procedure of selection.

3. A member may withdraw from the Union at any time by writing to the Executive Council.
4. A member who engages in actions seriously detrimental to the D.T.U. (such as scabbing during strike action) can be suspended or expelled from the Union by a simple majority decision of the Executive Council.
5. The suspended or expelled member has the right of one (1) appeal to the D.T.U. General Assembly, where a majority vote is required to sustain the Executive Council's decision of suspension or expulsion.
6. A suspended or expelled member is readmitted under conditions determined by the Executive Council or the General Assembly.

XXI. FISCAL YEAR

The Union's fiscal year shall be from July 1 to June 30.

XXII. BUSINESS AGENTS

Business agents of the Union shall be selected by the Executive Council, unless such an agent is contracted to fulfill part or all of the duties of an Executive Officer, in which case only the General Assembly is empowered to authorize the Council to negotiate such a contract.

XXIII. WORK STOPPAGES

1. Work stoppages of any kind or any duration must be decided by a simple majority and by a secret ballot vote initiated in a General Assembly and then continued by a referendum among all Union members conducted the subsequent day.
2. A return to work shall be decided by a simple majority vote by a referendum initiated in a General Assembly called for that purpose.

XXIV. PROXY VOTES

Votes on any union matter must be cast by the members themselves. Proxy votes are not admissible.

XXV. AFFILIATION AND DISAFFILIATION

The decision to affiliate to or disaffiliate from any syndical Federation or Confederation must be decided by a simple majority of those D.T.U. members voting in a referendum which shall begin at a General Assembly called for that purpose.

XXVI. CONFIDENTIALITY

1. The information contained in D.T.U. files on its members is confidential. Individuals or groups who wish to have access to statistical information (other than that contained in their own files) must obtain permission from the Executive Officers. However, law enforcement agencies may obtain information in a member's file only if authorized by a warrant.
2. A member may see the contents of his or her files provided reasonable time is given to the Executive Officers. If such a member finds inaccuracies in his or her files, the member may draw the Executive Officers' attention to the matter and make available to the D.T.U. any official documents that may serve to update the information.
3. Minutes of D.T.U. bodies and the financial records of the Union can be made available upon request.

XXVII. AMENDMENTS TO THE CONSTITUTION AND POLICIES

1. Any two (2) members of the Union may propose an amendment to the Constitution provided that written notice of the amendment proposed is given fifteen (15) days prior to the General Assembly at which the amendment is to be discussed. Approval by two-thirds (2/3) of the members present shall be required to pass an amendment.
2. Union policies can be formulated by either the Executive Council or the General Assembly respecting the terms of Article XVI.
3. Policies can be revoked by a simple majority vote at the General Assembly or by a two-thirds (2/3) majority of the Executive Council, even if the latter is convened as a result of the terms of Article XVI, Clause 8a.

XXVIII. DISSOLUTION OF THE UNION

The Union may be dissolved only if two-thirds (2/3) of the members vote for dissolution in a referendum. *MAY 8, 1996*

