



## ADVISING AND DISPUTE RESOLUTION COMMITTEE TERMS OF REFERENCE

<b>Faculty Association TOR No.:</b>	<b>ADRC-01</b>
<b>Classification:</b>	Standing Committee
<b>Approving Authority:</b>	Executive Committee
<b>Revision Authority:</b>	Advising and Dispute Resolution Committee
<b>Effective Date:</b>	<b>TBD</b>
<b>Last Updated:</b>	November 7, 2017
<b>Review Date:</b>	TBD

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### 1.0 Purpose

- 1.1 The purpose of these Terms of Reference is to provide guidance to the Advising and Dispute Resolution Committee (“the Committee”) as it carries out its business in accordance with the Constitution, Bylaws, and Policies of the University of Victoria Faculty Association (“the Association”).
- 1.2 The defined terms have the same meaning as in the Bylaws of the Association.

### 2.0 Mandate

- 2.1 The Committee is a Standing Committee of the Association.
- 2.2 The mandate of the Committee shall be as follows:
  - 2.2.1 Advise and consult the President, the Membership Services Office, and the Executive Committee regarding membership concerns with the interpretation and application of the Collective Agreement;
  - 2.2.2 Oversee the Membership Services Office and its Staff;
  - 2.2.3 Receive and provide advice on Membership Services Office reports;
  - 2.2.4 Review and investigate, and wherever possible resolve inquiries and complaints of Members concerning the terms and conditions of their employment;
  - 2.2.5 Monitor disputes and possible referrals to the Joint Committee on the Administration of the Agreement (JCAA);
  - 2.2.6 Make decisions on grievances on behalf of the Association; and
  - 2.2.7 Make recommendations for arbitration to the Executive Committee.
- 2.3 The Executive Committee or Council may by resolution delegate additional duties to the Committee as required.

### 3.0 Authority

- 3.1 The Committee may make recommendations to the Executive Committee and/or Council regarding matters that fall within the scope of the mandate.
- 3.2 The Executive Committee shall consider the recommendations and vote on whether to adopt them, either without amendment or with such amendments as they deem appropriate. If the Executive Committee deems it appropriate or the subject matter



requires, the Executive Committee may refer the recommendations, in whole or in part, to a meeting of Council and/or a General Meeting.

- 3.3 The Committee may request to meet with the Executive Committee, Council or Officers.
- 3.4 In consultation with the Executive Committee, the Committee may seek input from Members and other experts.
- 3.5 The Committee may, at its discretion, form subcommittees for the purpose of fulfilling the mandate in Section 2.0.
- 3.6 The Committee may request support from the Association to fulfill its mandate.

#### **4.0 Membership**

- 4.1 The Committee shall normally consist of seven (7) members. Each member of the Committee must be a Member of the Association.
- 4.2 The Executive Committee shall appoint Members to the Committee that reflect the diversity of gender, race, disability, and other social factors wherever possible, and that are broadly representative of the Faculties.
- 4.3 The Committee shall be constituted as follows:
  - 4.3.1 The Executive Committee shall normally appoint at least seven (7) voting members for up to a two-year term from July 1 to June 30;
  - 4.3.2 At least one (1) member of the Committee shall be a Librarian;
  - 4.3.3 At least one (1) member of the Committee shall be a Teaching Faculty Member;
  - 4.3.4 The members of the Executive Committee holding the Chairs and Directors Portfolio and the Equity and Disability Portfolio may be appointed by the Executive Committee as non-voting members of the Committee, if not already appointed as voting members;
  - 4.3.5 The President of the Association shall be an Ex-Officio non-voting member of the Committee; and,
  - 4.3.6 The Membership Services Advisor or Officer will normally be invited to attend Committee meetings.
- 4.4 An elected or appointed member of the Committee may resign by providing notice in writing to the Chair of the Committee and the President of the Association.
- 4.5 After seven (7) days' notice to the Executive Committee of a vacancy on the Committee, and normally within thirty (30) calendar days from the time the office becomes vacant, but in all cases within ninety (90) calendar days from this time, the Executive Committee shall appoint a Member to fill such vacancy.
  - 4.5.1 If more than one (1) Member expresses interest in appointment to the Committee, the Executive Committee may run a consultative electronic ballot of the Membership.
- 4.6 At the first Council meeting subsequent to any appointment to the Committee, Council shall make a recommendation to the Membership regarding the appointment, which shall be subject to ratification by Members at the General Meeting immediately subsequent to this Council meeting. An appointed member has full voting privileges prior to ratification.



## 5.0 Meetings

- 5.1 The Committee shall annually elect a Chair, who shall serve as an Ex-Officio (non-voting) member of the Executive Committee and deliver an oral or written report to each meeting of the Executive Committee.
- 5.2 The Committee may meet at the places they think fit to conduct business, and may adjourn and otherwise regulate their meetings and proceedings as they see fit.
- 5.3 Notwithstanding section 5.2, the Committee shall meet in person at least quarterly; however, the Committee normally meets monthly.
- 5.4 The Chair shall preside at all meetings; if the Chair is not present, the Committee shall select an acting Chair from among its members.
- 5.5 A quorum for a Committee meeting is a simple majority of voting Committee members.
- 5.6 Each voting member of the Committee participating in a meeting is entitled to one (1) vote.
- 5.7 Decisions of the Committee will be by majority vote.
- 5.8 A resolution in writing, unanimously approved by the members of the Committee and placed with the minutes of the immediately preceding Committee meeting, is as valid and effective as if regularly passed at a meeting of the Committee.
- 5.9 The Committee may invite Members and non-Members to attend meetings as needed.
- 5.10 Normally a member of the Committee who has not attended three (3) consecutive Committee meetings will be asked to resign from the Committee. The Committee expects all members to attend a majority of the regular and emergency meetings scheduled, except in cases where members must recuse themselves from the discussion of a Member file.
- 5.11 A member of the Committee who is on leave (including but not limited to Study Leave) and who is also unavailable to attend meetings during this period of leave shall normally be expected to resign if the period of the leave exceeds six (6) months. A member of the Committee who is on leave for six (6) months or less and is unavailable to attend meetings may request a leave of absence. During the period of any such leave of absence, the Executive Committee may, at its discretion, appoint an acting member to fill the vacant position or may leave the position vacant.

## 6.0 Reporting

- 6.1 On an annual basis the Committee shall identify priorities, deliverables and timeframes to fulfill its mandate in a Committee Plan. The Committee shall deliver a Committee Plan to the Executive Committee. The Committee may request financial support from the Executive Committee as part of the Committee Plan.
- 6.2 The Committee shall keep records of its meetings, decisions and recommendations.
- 6.3 The Committee shall deliver a written report to the Executive Committee at least quarterly.
- 6.4 The Committee may request administrative support from the Association to fulfill its reporting obligations in Section 6.0.



## 7.0

### **Related Policies and Documents**

- 7.1 Association Constitution and Bylaws
- 7.2 MS601 Membership Services Portfolio
- 7.3 MS602 Member Appeal Committee
- 7.4 Any other MS Policies that may come into effect before next Review Date of these Terms of Reference

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