



REPRESENTATIVE COUNCIL TERMS OF REFERENCE

Faculty Association TOR No.:	COUNCIL-01
Classification:	Standing Committee
Approving Authority:	Executive Committee
Revision Authority:	Representative Council
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1.0 Purpose

- 1.1 The purpose of these Terms of Reference is to provide guidance to the Council (“The Council”) to carry 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 Council is a legislative body of the Association.
- 2.2 The mandate of the Council shall be as follows:
 - 2.2.1 Vote on the ratification of Association policies proposed by the Executive;
 - 2.2.2 Vote on the ratification of the membership of the Negotiating Team;
 - 2.2.3 Vote on the ratification of initial contract proposals;
 - 2.2.4 Make recommendations on matters subject to final ratification by Members or by members of the bargaining unit represented by the Association, including but not limited to: (a) Association Standing and Ad Hoc Committee appointments; (b) the budget; (c) changes to the mil rate; (d) bargaining priorities; (e) job actions; (f) Collective Agreements.
- 2.3 The Membership may by resolution delegate additional duties to the Council.

3.0 Authority

- 3.1 The Council may make recommendations to the Membership and/or the Executive regarding matters that fall within the scope of the mandate in Section 2.0.
- 3.2 The Executive Committee shall consider the recommendations and vote on whether to adopt them, either without amendment or with such amendments as it deems appropriate.
- 3.3 The Executive Committee may, at its discretion, refer any matter, including matters that have already been voted on by Council, directly to a Membership vote. In the case of a



disagreement between Council and the Membership, the Membership vote shall always take precedence.

- 3.4 The Council may request to meet with the Executive.
- 3.5 The Council may seek input from experts and from Members.
- 3.6 The Council may by resolution appoint Ad Hoc Subcommittees of the Council in order to conduct the business of the Council.

4.0 Membership

- 4.1 Each member of the Council must be a Member of the Association.
- 4.2 The Speaker, Deputy Speaker, and members of the Executive shall not serve concurrently as Council representatives.
- 4.3 The Council shall be constituted as follows:
 - 4.3.1 Representatives from each academic unit of the University, elected by a secret ballot of Association Members affiliated with that unit, for a two-year term from July 1 to June 30 (or their elected proxies); and,
 - 4.3.2 The members of the Executive shall be Ex-Officio (non-voting) members of the Council.
- 4.4 Council Representatives shall be elected in the faculty groupings identified in the Collective Agreement for biennial evaluations.
 - 4.4.1 Group A (Engineering; Fine Arts; Human and Social Development; Libraries; Social Sciences) shall follow the odd-year election cycle; and
 - 4.4.2 Group B (Business; Education; Humanities; Law; Medical Science; Science) shall follow the even-year election cycle.
- 4.5 The Chair or Director of a unit (or, if the Chair or Director is a nominee, a delegate Member) shall be responsible for conducting the election of the unit's Council representative, who is elected by the Members affiliated with the unit.
- 4.6 Regularly-scheduled elections shall take place in a meeting of the Academic unit prior to the Annual General Meeting of the Faculty Association in the appropriate year. Interim elections shall take place at a meeting of the unit as soon as possible after a vacancy is announced.
- 4.7 A Member may be nominated for the position of Council representative with the consent of the nominee and the support of any two (2) Members affiliated with the unit.
- 4.8 When there is more than one (1) nomination for any position to be filled, a secret ballot shall be conducted, according to accepted procedures within the unit. The election shall be determined by a plurality of all ballots cast.
- 4.9 Upon the request of a Department Chair or Director (or of the delegate Member responsible for conducting elections), the Association office shall assist in conducting an electronic secret ballot.
- 4.10 A member of the Council who is unavailable to attend a Council meeting may ask their unit to select a proxy to send to that meeting instead. The proxy shall be elected by a



secret ballot of Association Members affiliated with that unit. If there is no opportunity to select a proxy, Members of the unit may attend the Council meeting as non-voting participants.

- 4.11 Members may vote for a Council Representative or a proxy in any unit or units with which they are affiliated, but no Member shall represent more than one unit at any Council meeting, and no Council Representative shall serve as a proxy. Unaffiliated Members shall also have the right to representation on Council, in accordance with a policy approved by Members.
- 4.12 The President and the Speaker of the Association shall be notified of any elections of Council members, including proxies.
- 4.13 Before undertaking their duties, each member of the Council shall sign an oath of office, confirming that they were duly elected by their unit in accordance with the Bylaws and these Terms of Reference.
- 4.14 A member of the Council may resign by providing notice in writing to the Chair of their department, and the President and the Speaker of the Association.
- 4.15 If the representative of a unit resigns, the unit shall elect a new representative for the remainder of the term, by a secret ballot of Association Members affiliated with that unit.
- 4.16 A member of the Council who is on leave (including but not limited to Study Leaves and Administrative Leaves) shall normally be expected to resign if the leave exceeds six (6) months.
- 4.17 A member of the Council who fails to attend or send a proxy to two (2) consecutive meetings of the Council, or who fails to attend or send a proxy to two (2) or more meetings of the Council during the course of a year (July 1 – June 30), is expected to submit their resignation from the Council.

5.0 Meetings

- 5.1 The Chair of the Council shall be the Speaker of the Association.
- 5.2 The agenda for Council meetings shall be set by the Chair, in consultation with the President of the Association.
- 5.3 The Council 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.
- 5.4 Notwithstanding section 5.3, the Council shall meet at least once during the period from September to November, and once in the period from January to March. Council members shall receive notice of regularly scheduled meeting dates for the upcoming year by the end of August.
- 5.5 Meetings of the Council shall be called by the President, the Vice-President, or any six (6) members of the Council.
- 5.6 The Chair shall preside at all meetings. If the Chair is not present, the Deputy Speaker shall chair the meeting instead. If neither the Speaker nor the Deputy Speaker is



present, the Council members present at the meeting shall elect a Chair for that meeting.

- 5.7 Quorum for a meeting shall be fifteen (15) Council members.
- 5.8 Decisions of the Council shall be by majority vote. The Speaker and Deputy Speaker shall not cast a vote. A Council member acting as temporary Chair may cast a deciding vote.
- 5.9 The Chair may invite Members and non-Members to attend meetings as needed.
- 5.10 Meetings of the Council are open to all Members of the Association with the exception of any in-camera discussions.
- 5.11 In exceptional cases, the Council may run an electronic vote on a motion deemed not to require a meeting or discussion. Such a motion shall pass only by unanimous consent among those participating in the vote.
- 5.12 With the approval of a simple majority of Council members present, a Council meeting agenda item may be designated as in-camera. An in-camera session is open only to Council members, including Ex-Officio members, and to any other Member or employee of the Association whose attendance is approved by a two-thirds majority of Council members present.
- 5.13 A resolution in writing, unanimously approved by the Council and placed with the minutes of the immediately preceding Council meeting, is as valid and effective as if regularly passed at a Council meeting.

6.0 Reporting

- 6.1 The Association shall keep records of the Council's meetings, decisions and recommendations. Association staff will normally be responsible for this task, and the Speaker and Deputy Speaker shall review these records for accuracy.
- 6.2 The President, Treasurer and Secretary shall deliver a written or oral report to the Council at every meeting.
- 6.3 The Treasurer shall present the annual budget for approval at Executive and Council meetings, and for Membership approval at the Annual General Meeting.

7.0 Related Policies and Documents

- 7.1 Association Constitution and Bylaws
- 7.2 Collective Agreement
- 7.3 Speaker and Deputy Speaker Terms of Reference
- 7.4 FM200 Budget Planning and Reporting
- 7.5 GV304 Meeting Participation
- 7.6 *The Society Act*