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