

# QUEBEC PUBLIC INTEREST RESEARCH GROUP AT CONCORDIA

## CONSTITUTION

For the purposes of clarify, the feminine pronoun is used throughout this document. It is meant to refer to people of all genders.

### Article 1: Name

- A. We are the “Quebec Public Interest Research Group at Concordia” (hereinafter QPIRG Concordia ), and in French “ le Groupe de recherche d’intérêt public du Québec à Concordia”(hereinafter GRIP-Q à Concordia).

### Article 2: Language of QPIRG Concordia

- A. English and French are the official languages of QPIRG Concordia.
  - 1. In all communications and meetings of QPIRG Concordia, members may use either official language.
  - 2. In all personal communications, QPIRG Concordia will endeavour to use the language preferred by the correspondent.
  - 3. Resolutions of QPIRG Concordia shall be posted in both official languages.
  - 4. Official notices of QPIRG Concordia shall be posted in both official languages.
  - 5. All documents of QPIRG Concordia shall be considered authoritative in the language of their original adoption.
- B. Accommodation of additional languages will be provided upon request given reasonable notice.

### Article 3: Objectives

QPIRG Concordia is a student-funded non-profit organisation that strives to: research, raise awareness of, and motivate action on diverse grassroots social and environmental justice issues; make campus-community links; and inspire sustainable change through fun, inclusive, and non-hierarchical methods.

### Article 4: Nature of QPIRG Concordia

- A. QPIRG Concordia is student directed, given that the students provide the financial support and are part of the objectives of the organization.
- B. It has staff to provide continuity, skills and facilitation of the day to day business of the organization.

### Article 5: Membership

- A. There shall be the following classes of members:
  - 1. Student members
  - 2. Associate members

## B. Eligibility

1. Membership is available through, and begins upon, payment of fees to QPIRG Concordia or through the completion of ten (10) or more hours of volunteer work for QPIRG Concordia within twelve (12) months.
2. Anyone who is not a student member is eligible for associate membership.
3. A member who receives a fee refund ceases to be a member of QPIRG Concordia.

## C. Rights of Members

1. All members shall have voting privileges in elections and general meetings of QPIRG Concordia. All student members and only student members shall have voting privileges in referenda of QPIRG Concordia.
2. All members shall be eligible to sit as Board members.
3. All members shall be entitled to participate fully in meetings and other activities, and benefit from the services of QPIRG Concordia
4. Every document of QPIRG Concordia shall be open to inspection by any member upon reasonable request, except for minutes of Board meetings held in closed session.

## D. Fees

1. Student members shall pay their fees with their school registration. This fee cannot be changed except by way of a referendum held in accordance with this constitution and regulations set by the Board.
2. The Associate members' fee shall be an annual fee or volunteer hours of an amount to be determined by the Board.
3. QPIRG Concordia shall administer the refunding of fees in accordance with this constitution and policies set by the Board.
4. Student members seeking a fee refund shall come in person to the QPIRG Concordia office with student ID and student account record, within the refund period established by QPIRG Concordia, to receive their refund.
5. The refund period shall run for at least five (5) class days.
6. Notice of the refund period shall be given by QPIRG Concordia at least one week before the refund period begins, by:
  - a. a notice in a publication of QPIRG Concordia, where such publication exists, and in a student publication available to all members of Campus, and
  - b. a notice conspicuously posted in the QPIRG Concordia office and in conspicuous places in all major buildings of the university.

## **ARTICLE 6: ELECTION AND REFERENDUM PROCEDURES**

### A. Election Procedures

1. In order to manage the day to day operations of QPIRG Concordia a dedicated body will be selected by popular will.
2. The membership therefore invests its authority in a directorate. Ultimate authority remains with the whole group in its membership, to which the directorate is responsible and reports.
3. This Constitution, and thus these electoral procedures, is independent of all other student groups on campus. However, this autonomy does not preclude cooperative electoral action where beneficial and agreeable to all groups participating in such action.

4. QPIRG Concordia shall actively promote the inclusion of underrepresented groups within QPIRG Concordia.
5. The Board shall be elected at a General Meeting, in which:
  - a. Nominations shall come from the floor;
  - b. All candidates shall have the opportunity to present themselves, and members present at the meeting shall have the opportunity to ask questions of the candidates;
  - c. Any candidate who cannot be present due to extenuating circumstances may present a written platform that will be read on their behalf;
  - d. Elections shall be conducted by secret ballot;
  - e. Candidates who receive more Yes than No votes shall be elected. However, if there are more candidates than positions, the maximum number of candidates with the most Yes votes are elected;
  - f. All publicity materials for the General Assembly shall give notice of the Board elections.
6. The operation of these election and referendum rules will be overseen by an impartial electoral officer, who will be hired by QPIRG Concordia for that purpose.

#### B. Referendum procedures

1. Referenda arise according to policies and procedures of the Concordia Student Union.
2. The membership has the right to form committees for the purpose of advocating a position of a referendum question.

### **ARTICLE 7: BOARD**

#### A. Board Members

1. The Board shall consist of not less than three (3) and not more than twelve (12) members of QPIRG Concordia who have been elected as Board members to represent QPIRG Concordia.
2. The term of office for Board members shall normally be one year.
3. Board members shall retire upon entry of the new Board into office.
4. The staff of QPIRG Concordia shall be considered ex-officio Board members.
5. The Board shall have the right to appoint other Board members from time to time to fill vacant positions between elections.
6. No remuneration shall be paid to a Board member for being or acting as a Board member. However, a Board member shall be reimbursed for all incurred expenses while engaged in the affairs of QPIRG Concordia, subject to authorization according to financial guidelines determined by the Board.
7. No regular Board member may be a paid employee of QPIRG Concordia.
8. Resignation of Board members
  - a. A Board member may resign by presenting a resignation in writing, which shall be effective upon acceptance by the Board.
  - b. A Board member may be asked to resign or to go on leave upon the non-attendance of four (4) consecutive meetings.
9. Recall of Board members

- a. A Board member may be recalled upon Board consensus at a meeting of which the Board member has received ten (10) days written notice including the reasons for the recall.
- b. At such a meeting, the Board member shall be given the opportunity to participate in the consensus process, and to designate a support person to attend with or in place of the Board member.
- c. If consensus cannot be reached, a Grievance Committee may be formed according to the processes outlined in this Constitution.

## B. Board Duties and Powers

1. The management, administration, and control of the affairs of QPIRG Concordia are vested in the Board, subject to this Constitution. Without diminishing the foregoing, the Board:
  - a. may make such rules and regulations as it considers advisable for the conduct of the affairs of QPIRG Concordia, provided such rules and regulations are consistent with this Constitution;
  - b. may appoint standing committees, ad hoc committees, and task forces, to carry out specific functions as determined by the Board;
  - c. shall ensure the keeping of proper financial records;
  - d. shall perform such other duties as directed by the body of student members, or as necessary for the Board's legitimate function.

## C. Meetings of the Board

1. The Board shall hold regularly scheduled meetings at least once a month.
2. Quorum shall be 50% of the regular Board members, except any members on leave.
3. A Board member may choose to go on leave due to extenuating circumstances. Leave may be granted by the Board, in response to a request in person or in writing.
  - a. When on leave, a Board member does not have voice in consensus.
  - b. However, the Board member retains all responsibilities of being a Board member, except attending meetings.
4. A Board member who would possibly be put in a conflict of interest shall disclose such interest and shall abstain from participating in the consensus.
5. Meetings of the Board and its committees shall be open to all members of QPIRG Concordia; the facilitator shall make every effort to enable the participation of all members present.
6. Notwithstanding the previous article, a particular meeting or portion thereof may be held in closed session upon consensus of the Board or committee, only for the purpose of discussing the following matters:
  - a. proposed, pending or current litigation;
  - b. personnel matters, leading to the hiring, firing, promotion, demotion, suspension, salary level or evaluation of staff members;
  - c. personal matters concerning the conduct of any member.
7. Special meetings of the Board may be called, to consider matters of particular urgency:
  - a. upon consensus of the Board, or
  - b. upon receipt of a written request from any three (3) Board members, or

- c. upon receipt of a petition signed by thirty (30) members of QPIRG Concordia, stating the time, place, and agenda of the meeting.
- 8. All decisions of QPIRG Concordia shall be made by consensus.
  - a. Board members who disagree with a proposal may block consensus, in which case further discussion is required for the resolution of the matter, or the proposal may be dropped.
  - b. Board members who disagree with a proposal but do not wish to block consensus may choose to stand aside, in which case the decision will be implemented by the rest of the Board.
- 9. Facilitation and minute-taking of Board meetings shall be done on a rotating basis.
- 10. All members of QPIRG Concordia may propose items for the agenda, by bringing the item to the Board before the beginning of the meeting.
  - a. The agenda shall be adopted at the beginning of the meeting.
  - b. Non-members may attend Board meetings to present information relating to an agenda item; however, they may not be present for the decision-making process. Exceptions to this may be granted by Board consensus.

## **ARTICLE 8: GRIEVANCE AND ARBITRATION PROCEDURE**

- A. The purpose of this Grievance Procedure is to adjudicate fairly internal differences related to QPIRG Concordia matters which cannot be resolved by other means.
- B. Differences between the Board and employee(s) of QPIRG Concordia that fall within the procedures outlined in the employee contract will be dealt with according to those procedures.
- C. **Grievance Procedure**
  - 1. *Step One:* When a person believes that she may have a grievance, she shall notify the Board that there is a grievance within sixty (60) working days after she became aware, or reasonably ought to have been aware, of the occurrence of the circumstances giving rise to the grievance. The Board will respond within ten (10) working days. The grievor will then discuss the matter with a representative of the Board, mutually agreed upon by the Board and the grievor. If the grievor requests it, a mutually agreed upon mediator will be provided. If the meeting is not satisfactory to the grievor, the grievance may proceed to Step Two.
  - 2. *Step Two:* If the grievance is not resolved the Board and grievor will agree to abide by the decision of a mutually agreed upon Arbitration Committee (see Section G of this Article). The Board or the grievor will initiate this step in writing to the other party within ten (10) working days of the meeting at Step One.
  - 3. If a grievor chooses not to grieve a particular situation, or withdraw a grievance at any stage, such action or lack of action shall not prejudice other grievances. A record of all grievances shall be kept. Such records shall be available for use in the review of grievances if mutually determined to be relevant by the Board and the grievor.
  - 4. The time limits may be extended by mutual agreement.
  - 5. Where no answer is given within the time limits specified herein for steps one and two, the grieving party shall be entitled to proceed to the next step of the Grievance.
  - 6. All grievances filed alleging a violation of this article shall be submitted at Step Two of the grievance procedure.

## **D. Harassment Investigation and Grievances**

1. In the case of a grievance involving harassment, procedures elaborated in any existing harassment policy shall override the grievance procedures outlined in this constitution.
2. In the absence of such a policy, a person who alleges to have been harassed may submit a grievance under normal grievance procedure and/or request an investigation from the Board.
  - a) In the case that an investigation is requested by the grievor, the Board and the grievor shall agree upon a neutral third party to handle the investigation who would be empowered to recommend disciplinary measures. The investigation process shall take no longer than ten (10) working days. The Board shall then decide what action shall be taken. The grievor shall be informed of the decision within five (5) working days of the last meeting. When possible proceedings and results shall be kept in the strictest confidence.
  - b) The grievor shall be offered counselling during the investigation. The alleged harasser shall be given a leave during the investigation. In the instance that the alleged harasser is an employee this leave will be with pay.
  - c) If the decision is to continue to separate the parties, the Board shall ensure that the continuation of separation is arranged so that the grievor suffers no penalty or interference in their participation in QPIRG Concordia.

E. **Group Grievance** - A group grievance, resulting from a consolidation of similar individual grievances seeking a common redress, may be initiated at Step Two of the Grievance Procedure.

F. **Confidentiality** - The Board recognizes the principle of confidentiality and agrees that the identity of any grievor(s), and the fact and substance of any grievance shall be made available on a 'need to know' basis.

#### G. **Arbitration**

1. The Arbitration Committee shall be made up of no less than 3 people working by consensus and all agreed upon by both parties involved in the arbitration process.
2. The Board representative and grievor shall meet within ten (10) working days of receipt of written notification (see Step Two of Grievance Procedure) for the purpose of selecting members of the Arbitration Committee.
3. No person shall be selected for the Arbitration Committee who has, within six months of the appointment, acted in the capacity of: solicitor, legal counsel or advisor to either party or has any financial interest in the matters referred to arbitration, or has been involved in an attempt to negotiate or settle the grievance in process.
4. Where an Arbitration Committee has been agreed upon by both the grievor and Board, the said committee shall be requested, in writing, by the party requesting the arbitration, to hold the hearing within thirty (30) working days of such request.
5. Where one or more people selected for the Arbitration Committee does not accept the request to arbitrate, or where the committee is unable to set a hearing within the 30 days stipulated, the grievor and the Board representative shall confer within five (5) days of being so advised, and shall select another member or members.
6. This process shall continue until an Arbitration Committee of at least three members can be found
7. QPIRG Concordia shall bear the fees and expenses of the arbitration committee.
8. Arbitration Committee Authority
  - (a) The Arbitration Committee shall have no authority to add to, subtract from, alter or ignore the provisions of this Article of the Constitution.
  - (b) The decision of the Arbitration Committee shall be final and binding on the parties.

### **ARTICLE 9: MEETINGS**

A. Annual General Meetings:

1. QPIRG Concordia shall hold an Annual General Meeting each year in the fall term at a time and place determined by the Board in accordance with this Constitution.
2. Quorum will be forty (40) members of QPIRG Concordia. If in one-half hour after the appointed time for the annual General Meeting quorum is not met, quorum will be reduced to thirty (30) members of QPIRG Concordia.
3. The agenda for the General Meeting shall consist of:
  - a) Reports from each of the working groups and the Board.
  - b) Board elections as provided for in this Constitution.
  - c) Any other matter concerning QPIRG Concordia, provided that it is brought by a member to the attention of the Board at least ten (10) working days prior to the General Meeting.

#### B. Special General Meetings

1. Special General Meetings, to consider matters of particular concern and urgency or Constitutional changes, shall be called at any time of the year by the Board:
  - a) upon consensus of the Board, or
  - b) upon recommendation by the Grievance Committee or its failure to resolve an issue.
2. Quorum will be forty (40) members of QPIRG Concordia. If in one-half hour after the appointed time for the Special General Meeting quorum is not met, quorum will be reduced to thirty (30) members of QPIRG Concordia.

### **ARTICLE 10: AMENDMENTS TO THIS CONSTITUTION**

1. Constitutional amendments shall be made at a General Meeting provided that thirty (30) days prior notice to wording of the amendment is readily available to members. It requires a three-quarter vote to be adopted.
2. If a three-quarter vote is not reached, the General Meeting may elect to vote on changes clause-by-clause.

### **ARTICLE 11: ANCILLARY POWERS OF THE GROUP**

- A. The group shall engage in business activities as it shall from time to time determine, including but not limited to, the following powers:
1. To enter into, perform and carry out contracts of any kind necessary to, or in conjunction with, or incidental to the accomplishment of the purposes of the group;
  2. To acquire any property, real or moveable, bought or rented, or any rights therein or appurtenant thereto, necessary or appropriate for the accomplishment of the purposes of the group;
  3. To borrow money, and to issue evidences of indebtedness, and to secure the same by mortgage, deed or trust, pledge, or other lien, in furtherance of any or all of the purposes of the group;
  4. To sell or otherwise dispose of all or any portion of the assets or properties of the group;
  5. To pursue civil and criminal cases before the courts.

### **ARTICLE 12: SEPARABILITY OF ARTICLES**

In case any of the provisions contained in this Constitution or any application thereof shall be invalid, illegal or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained in this agreement shall not in any way be affected.