



# AASUA

## Bylaw Review

Information Backgrounder



September 2015



# Why is AASUA revising its bylaws?



## What is the AASUA?

The Association of Academic Staff University of Alberta (AASUA) is the exclusive bargaining agent for all academic staff at the University of Alberta as legislated by the Post-secondary Learning Act (“the PSLA”). The AASUA collectively negotiates terms and conditions of employment for all academic staff. The AASUA has a duty to fairly represent all its members in relation to disputes arising out of the collective agreements, and it works to advance and protect the principles of academic freedom.

All members of the academic staff become members automatically upon designation by the Board of Governors and members pay dues to the Association. The members are collectively the final authority of the Association.

A Council of 70 members elected from across the Association’s seven constituency groups is currently the Association’s principal policy-making body. This body is supported in its work by a President, Vice-President, and Treasurer elected by Council normally from amongst Council members, and supported by paid staff including an Executive Director. An Executive Committee is charged with the responsibility of directing the day to day affairs of the Association between meetings of the Council and to act on resolutions of Council.

**AASUA is a legal organization that is governed by its enabling legislation, the PSLA, and its constating documents. The constating documents comprise the bylaws and subordinate rules for the governance structures and dynamics of the Association and are crucial to a healthy and vibrant Association.**

We encourage members to read the full set of current Bylaws at: [www.aasua.ca/publications-and-resources/aasua-bylaws/](http://www.aasua.ca/publications-and-resources/aasua-bylaws/)

## Background

In the 2014-15 academic year, the Association was apprised by its external legal counsel that the Association’s current By-Laws are not in compliance with the Post-secondary Learning Act. (In particular, the bylaws lack a process in which the members of the governing body are elected by the academic staff members, lack rules to call a special meeting of the membership, and lack rules regarding the conduct of business at Council meetings).

### Accordingly:

In March 2015, all members received by mail from the AASUA a copy of the legal opinion from McGown Johnson, a copy of a draft resolution, and an agenda from President Kevin Kane calling for a general meeting on 27 March 2015. The members were called to discuss and vote upon the draft resolution that the first draft of the Association’s Bylaws be rewritten by a lawyer. Thereafter, a Bylaw Committee would receive and consider feedback from the general membership, and consult with legal counsel regarding the drafting of amendments to the bylaws. The legal opinion is available online at [www.aasua.ca/publications-and-resources/rhumblines-newsbulletin/2015-march-12/](http://www.aasua.ca/publications-and-resources/rhumblines-newsbulletin/2015-march-12/).

The association members at that general meeting defeated the draft resolution. Prior to the March 27 general meeting, a Council-approved process was established in which a By-Laws Amendment Committee (BAC) whose members have been elected from the general membership was “charged with organizing a consultative process that will inform members about a range of possible governance models for the Association and will centrally involve members in the identification of core values and principles to guide the writing of the bylaws.” The committee is also charged with writing a new set of By-Laws for initial approval by Council and a subsequent ratification vote by all association members.

### **The bylaws:**

- Lay out the terms for the composition and authority of AASUA Council, Executive Committee, the Association's various committees; and the staff;
- Set out the rules for election procedures for Officers, Directors, and Council members as well as the rules for general meetings, special meetings, and ratification votes by the full membership;
- Establish who and how decisions are made for the membership and by what procedures;

To fulfill our mandate, we want to involve you in reflection, dialogue and deliberation on what the decision-making structures of AASUA should be and the values you want the new Bylaws to embody. We are working in partnership with Western Management Consultants (WMC) and the Centre for Public Involvement (Faculty of Extension) (CPI) to ensure a process that is engaging and influential.



## **What's in it for me?**

### **This is an opportunity for you to shape the future of the Association!**

We need to hear from you, the members, about how the Association should be governed. We have designed a member-driven process that will give you an opportunity to share important insights and ideas about how the Association should work, including how it involves its members in making policy for the Association. This is your chance to ensure that the Association's rules shape an Association that meets your perspectives about what is in the best interests of the University of Alberta's academic staff. Some of the issues that may be important to you are listed below. This is, however, not an exhaustive list and the membership engagement process is in place to see what concerns members have.

### **In rewriting the bylaws we will ask questions such as:**

- What should the governance structures for AASUA be?
- Who makes decisions and who exercises authority in the Association and by what mechanisms?
- What models of member representation are available and which should we embrace?
- How are financial decisions made and through what processes is money such as dues spent?
- When do you get a direct say in AASUA decisions?
- In what other ways can members be involved in decision-making for the Association?

With the new by-Laws, the By-Laws Amendment Committee aims to create governance structures and dynamics that will allow the Association, within the legislative constraints of the PSLA, to meet its legal responsibilities, based on values and criteria articulated by the members. These responsibilities include protecting the negotiated terms and conditions in the collective agreements and advancing and protecting principles of academic freedom.

Your participation will ensure that the new Bylaws define an association that meets the evolving needs of its members, who are tremendously diverse in terms of their job categories, job security, number of years at the University, the benefits they draw, and their power within University hierarchies. The Bylaws that we recommend to Council will shape the Association for a number of years to come.

### By participating you will:

- Have a direct say in what kind of rules the Association needs at this time in its history.
- Learn from experts such as James Turk and Penni Stewart (see links to bios below).
- Deepen your understanding of the diverse needs and interests represented in AASUA.
- Experience strong and innovative participatory processes (and help to model active member engagement for AASUA going forward).
- Get to know other academic staff, as you engage with them online and in person.
- Contribute to the development of a modern association that reflects our present political, academic, and fiscal needs.

## How can I participate?



Between now and the end of November we will offer a range of opportunities for online and in-person deliberation. We will communicate with you throughout the process and provide regular summary reports so that you can see how your recommendations have influence.

Opportunities for Participation	Description	Time & Location
<b>Throughout September - December 2015 ON-LINE ENGAGEMENT</b>		
<b>Phase 1 - September 2015 DISCOVERY - learning about the issues</b>		
Launch Event September 9	Participatory event featuring a presentation from James Turk and member dialogue.	Lister Centre 12-2pm
Learning Event September 29	Event for members to talk in depth about critical and emerging issues. Penni Stewart will present and support exploration of issues.	Lister Centre 12-2pm
<b>Phase 2 - October 2015 EXPLORATION - digging deeper into the issues and understanding the implications of particular choices</b>		
Small Group & Theme Meetings	Small group meetings for in-depth exploration of key and emerging issues and to discuss possible new Bylaws.	TBD
<b>Phase 3 - October - November 2015 DELIBERATION - thoughtfully weighing options and choices before decision</b>		
Deliberation Event Week of October 26	Major event for members to deliberate about specific proposals for the new bylaws.	TBD
Drafting	Drafting committee works on the bylaws drawing on conversation with members.	November - December



## How will my input be used?

Members of Bylaw Amendment Committee

[www.aasua.ca/about-us/ad-hoc-committees/bylaws-amendment-committee/](http://www.aasua.ca/about-us/ad-hoc-committees/bylaws-amendment-committee/)

Your input during this member engagement process will crucially inform the work of the Bylaws Amendment Committee, which has been empowered by Council to draft new bylaws. The Bylaws Amendment Committee, a committee with representation from all member constituencies, will take seriously input received through the engagement process as it drafts a new set of rules for the Association.

### Throughout the process, the Bylaw Amendment Committee is committed to:

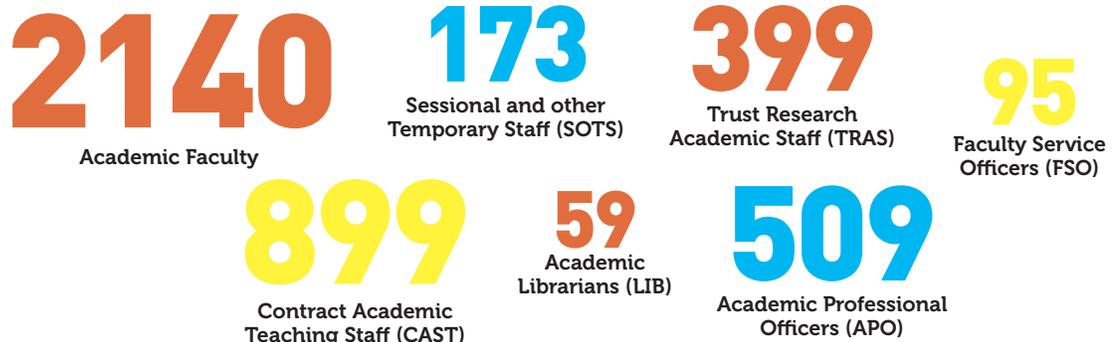
- Keeping all members informed about member input from each deliberation session.
- Carefully considering recommendations that come from the member engagement process.
- Explaining where we have followed these recommendations, where we have not, and why.
- Seeking additional advice from experts on academic associations to support our deliberations.
- Working with external legal advisors to ensure that the bylaws conform to relevant legislation and state the new rules in the clearest language possible.

Our Committee is required to submit its proposed set of new Bylaws to AASUA Council by the end of 2015. Once Council is satisfied with these new Bylaws (and they may choose to send them back to BAC for revision), Council will put the revised Bylaws to a ratification vote by the full membership.



## Who's who in AASUA?

According to the latest numbers available (from October 2014) AASUA had 4,174 members, drawn from seven different constituency groups including:



## Contact us



Please be in touch with us:

- Substantive questions or advice about the Bylaws or the Bylaws engagement process should be directed to BAC: [bylaws@aasua.ca](mailto:bylaws@aasua.ca)
- Logistical questions about events should be directed to the AASUA front desk: [info@aasua.ca](mailto:info@aasua.ca)
- Technical questions about the website and online engagement space should be directed to [maurice.morinville@aasua.ca](mailto:maurice.morinville@aasua.ca)

### Notes:

