

UNIVERSITY  
OF  
TORONTO

STUDENTS'  
UNION

# University of Toronto Students' Union

# Bylaws

As amended September 19<sup>th</sup>, 2016

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Note: Portions of the Bylaws noted with the '§' symbol are effective pending the 2016 Annual General Meeting per Bylaw XV - 1.c. These portions are also marked in red.

*As amended September 19th, 2016*

# **Mission Statement\***

As stated in the Letters Patent, the Mission Statement of the Union is:

1. To safeguard the individual rights of the student, regardless of race, colour, age, mental or physical ability, sex, sexual orientation, gender identity, creed, religion, personal or political beliefs, nationality, geographic or ethnic orientation, citizenship, class ancestry or status, including but not limited to marital, socio-economic, First Nations, Inuit or Metis;
2. To foster the intellectual growth and moral awareness of the student in order to benefit him or her, the University of Toronto Student Community, and society;
3. To provide facilities of the services and activities in which the interests of the University of Toronto Student Community are involved;
4. To endeavor to bring about a fundamental redistribution of power so as to permit substantially greater participation by students in making those decisions which affect their lives;
5. To engage in research and discussion of the broad educational philosophy and principles affecting the University of Toronto Student Community;
6. To provide means of communication within the University of Toronto Student Community, among the campuses of the University of Toronto, with other members of the university community, with other universities, and with the general public;
7. To engage in discussion with municipal, provincial, and national governments on issues that affect the University of Toronto Student Community;
8. To encourage social action programs involving volunteer student resources;
9. To press for such action as may be necessary to make higher education accessible to all classes of Canadian society.

## **Mission Statement\***

*As amended September 19th, 2016*

# Constitution

## 1. Name\*

The name of the corporation is the *University of Toronto Students' Union*, and hereafter in this Constitution and these Bylaws shall be referred to as *the Union*.

## 2. Purposes of the Union\*

The purposes of the Union are stated in the Letters Patent and shall include the following:

- a. to organize students on democratic, co-operative basis for advancing students' interest, and advancing the interests of the students' community;
- b. to provide a common framework within which students can communicate, exchange information, and share experience, skills and ideas;
- c. to bring students together to discuss and co-operatively achieve necessary educational, administrative and legislative change wherever decision-making affects students;
- d. to facilitate co-operation among students in organizing services which supplement the learning experience, provide for human needs, and develop a sense of community with our peers and with other members of society;
- e. to articulate the desire of students to fulfill the duties and be accorded the rights of citizens in Ontario, in Canada, and in the international community;
- f. to achieve the goal of a system of post-secondary education which is accessible to all, which is of high quality, and which is nationally planned; which recognizes the legitimacy of student representation and the validity of students' rights; and whose role in society is clearly recognized and appreciated;
- g. to work towards building an environment free of systemic societal oppression;
- h. to do all other things that are incidental or conducive to these purposes.

## Constitution

*As amended September 19th, 2016*

# **Bylaw I - Interpretation**

The following definitions shall apply to the University of Toronto Students' Union, Policy Booklet, Elections Code Procedure, Charter for Referenda and other governing documents of the Union.

## **3. Definition of "Act"**

"Act" shall mean the *Canada Not-For-Profit Corporations Act*.

## **4. Definition of "Ad hoc Committee"**

"Ad-hoc Committee" shall mean shall mean any ad hoc body struck by the Board to discuss one specific purpose and shall be active for a limited period of time.

## **5. Definition of "Associate"**

"Associate" shall refer to an individual who is an assistant to an Executive Committee member.

## **6. Definition of "Board"**

"Board" shall mean the Board of Directors of the Union.

## **7. Definition of "Board of Directors"**

"Board of Directors" shall mean the body with the final legal and fiduciary responsibility for the affairs of the Union.

## **8. Definition of "Campus Publication"**

"Campus Publication" shall mean The Newspaper or The Varsity, or another comparable publication distributed to all relevant constituencies on the University campuses and having comparable circulation.

## **9. Definition of "Commission(s)"**

"Commission(s)" shall mean an advocacy branch of the Union that consists of a group of volunteers who undertake specific projects under the supervision of a member of the Executive Committee.

## **10. Definition of "Committee"**

"Committee" shall mean those bodies struck by the Board and/or Commission for a continuous period of time.

## **11. Definition of "Constituency"**

"Constituency" shall mean each Professional faculty and College at the University of Toronto.

## **Bylaw I - Interpretation**

*As amended September 19th, 2016*

**12. Definition of “Director”**

“Director” shall mean a member of the Board of Directors of the Union.

**13. Definition of “Executive”**

“Executive” shall mean a member elected or appointed to serve a position on the Executive Committee. The Executive Committee serve as the Officers of the Union.

**14. Definition of “Fall, Winter, and Summer Sessions”**

“Fall, Winter, and Summer Sessions” shall mean the dates provided by the Office of the University of Toronto Registrar defining the period for each Fall, Winter, and Summer session.

**15. Definition of “Full-time undergraduate”**

“Full-time undergraduate” shall mean any student registered for a full-time undergraduate study at the University of Toronto St. George or Mississauga campuses, in a program leading to a degree, diploma or certificate of the University, and taking no less than 3.0 full-time equivalent credits

**16. Definition of “Letters Patent”**

“Letters Patent” shall mean the incorporation documents of the Union dated April 21, 1977.

**17. Definition of “Member”**

“Member” shall mean a person who satisfies the requirements in Bylaw II.

**18. Definition of “Standing Committee”**

“Standing Committee” shall mean those bodies struck by the Board for a continuous period of time.

**19. Definition of “Sub-committee”**

“Sub-committee” shall mean a subset of a committee/commission struck to address a specific purpose.

**20. Definition of “Robert’s Rules of Order”**

“Robert’s Rules of Order” shall refer to the rules contained in the current edition of Robert's Rules of Order Newly Revised edition.

**21. Definition of “Union”**

“Union” shall mean the University of Toronto Students’ Union.

**22. Definition of “UTM”**

“UTM” shall mean the University of Toronto Mississauga.

**Bylaw I - Interpretation**

*As amended September 19th, 2016*

### **23. Definition of “Working Group”**

“Working Group” shall mean a group of people working together temporarily until some goal is achieved. The Board, Committees, and Commissions have the right to strike working group as deemed necessary.

### **24. Definition of “UTMSU”**

“UTMSU” shall mean the University of Toronto Mississauga Students' Union.

### **25. Head Office**

The Head office of the Union shall be located at the University of Toronto St. George Campus, Toronto, Ontario<sup>§\*</sup>, Canada.

### **26. Restricted Portions of the Bylaws (Index of Symbols)<sup>§</sup>**

Certain parts of the Bylaws shall be subject to additional considerations, and shall be demarked as such:

**The star symbol (\*)** shall mean that Pursuant to Section 197 (1) (Fundamental Change) of the Act, a special resolution of the members is required to make any amendment to add, change, or delete this section or paragraph of the Bylaws.

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\* Per § 197 (1) of the CNCA, a special resolution of members is only required to change the province in which the corporation's registered office is situated.

## **Bylaw I - Interpretation**

*As amended September 19th, 2016*

# **Bylaw II - Membership\***

## **1. Members**

The members of the Union shall be:

- a. All individuals who have registered full-time in a program leading to a degree, diploma, or certificate, are taking the equivalent of a full-time course load at the University of Toronto for the current session, and who have paid membership fees to the Union.
- b. Registered students of the Toronto School of Theology.
- c. Registered students of the Transitional Year Program.
- d. Registered students of the Professional Employment Year program.
- e. Members of the Executive Committee during their respective terms in office, including the Executive Director of the Union.

## **2. Termination**

- a. Membership in the Union is terminated when a member withdraws or is expelled from the University of Toronto or upon graduation from the University.
- b. Membership of the Executive Committee is terminated upon resignation, impeachment or dismissal for any reason.

## **3. Membership Fee**

The membership fee shall consist of \$15.52 per session for the 2006-07 academic year. The membership fee shall be adjusted annually by the Consumer Price Index (CPI).

- a. Except as hereinafter provided membership fees may also be set in the following ways:
  - i. By the members of the Union voting in a referendum

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\* Per § 197 (1) of the CNCA, a special resolution of members is required for the following changes:

- creating a new class or group of members
- changing a condition required for being a member
- changing the designation of any class or group of members or adding, changing or removing any rights and conditions of any such class or group
- dividing any class or group of members into two or more classes or groups and fixing the rights and conditions of each class or group

## **Bylaw II - Membership\***

*As amended September 19th, 2016*



#### **4. Membership Rights**

Only members may:

- a. Vote in elections, referenda and general meetings of the Union;
- b. Sign petitions of the Union;
- c. Nominate a candidate for election to positions on the Board of Directors subject to provisions in the Bylaws;
- d. Sit on any Commission of the Union subject to ratification by the Board of Directors; and,
- e. Seek election to the Board of Directors, subject to provisions in the Bylaws.

# **Bylaw III - Meetings**

## **1. Types of General Meetings**

There shall be three types of general meetings:

- a. **Annual General Meetings**; and
- b. **General Meetings**
- c. **Annual Ratification Meetings**

### **a. Annual General Meetings**

The Annual General meeting of the Union shall be held in the Fall session of each year **subsequent to the Fall elections<sup>§</sup>**, as set by a majority vote of a Board meeting. The meeting shall be held within 15 months of the previous Annual General Meeting and no later than six (6) months after each fiscal year end. The meeting shall discuss the requirements set out and described in the Act and shall include the following:

- i. receiving the financial statements and the auditor's report;
- ii. appointing auditors for the ensuing year;
- iii. amendments, if any, to the Bylaws unless previously approved; and,
- iv. The Board shall also include other items on the Agenda as described under Procedural Policy of the Union.
- v. An address by the president detailing the work of the Union over the past year and plans for the future;
- vi. A members' forum directly following the President's address, where members can provide comments and direct questions to Executive Committee members; and
- vii. The distribution of an annual report detailing the work of the Union for the past year.

### **b. General Meetings**

General meetings may be called at any time by:

- i. A majority vote of a Board meeting; or
- ii. Executive Committee; or
- iii. A written request, stating the purpose of the meeting, signed by no less than one (1) percent of the membership, of whom no more than 0.25 percent can be from any one constituency.

## **Bylaw III - Meetings**

*As amended September 19th, 2016*

**c. Annual Ratification Meetings**

- i. Shall be called by the Elections and Referenda Committee
- ii. Must be held after the general election and prior to the start of the new term on May 1<sup>st</sup>.
- iii. The purpose of the meeting shall be to ratify the election of all non-appointed members of the Board of Directors.<sup>§</sup>
- iv. A list of all individuals elected to the Board of Directors under Bylaw VI, with the exception of those elected to serve as Officers of the Union (as defined by Bylaw I), shall be presented to the Annual Ratification Meeting. The list shall also include all individuals nominated to serve as General Equity Directors. The list shall be approved or rejected in its entirety by a simple majority of those members present. No part of the list may be externalized. The Annual Ratification Meeting may not amend or otherwise alter the results.<sup>§</sup>
- v. All candidates for election at the Annual Ratification Meeting must be members of the Union. The Elections and Referenda Committee may request proof of membership status from any candidate. Candidates shall be obligated to comply with said request, provided that it is made no less than fourteen (14) days prior to the Annual Ratification Meeting

**d. Notice\***

Notice shall be provided to members twenty-one (21) days prior to the meeting in a campus publication, on the Union website, and via an email sent to the entirety of the membership. The agenda, a summary of financial statements (where applicable) and details of how to vote by proxy shall be published in conjunction with the notice. Financial statements and items pertaining to the agenda will be available at the Union offices and website.

**e. Quorum**

- i. The quorum required for an Annual General meeting of the Union shall be no less than 75 members, of whom at least 50 members must be present in person.
- ii. The quorum required for any General meeting shall be 350 members, of whom at least 150 members must be present in person.
- iii. The quorum required for an Annual Ratification meeting of the Union shall be no less than 50 members, of whom at least 35 members must be present in person.

**f. Voting**

At General Meetings, each member of the Union is entitled to one vote.

**Bylaw III - Meetings**

*As amended September 19th, 2016*

**g. Proxy\***

- i. Every member of the Union is entitled to designate another member to act as their proxy.
- ii. The proxy must be in writing and conform to the requirements of the Act, Bylaws and Policy of the Union.
- iii. No member shall carry more than 10 proxies.

**h. Notice of Deadline for Bylaw Amendments and Agenda Items**

Notice of the deadline for members to submit Bylaw Amendments and Agenda Items to be considered at a general meeting, according to the bylaws and policies of the union, shall be posted on the Union Website at least fourteen (14) days prior to the deadline itself.

## **2. Meeting of the Board of Directors**

There shall be three types of Board of Directors Meetings:

- a. Scheduled meetings**
- b. Emergency Meetings**
- c. Consecutive Board Meetings**

**a. Scheduled meetings**

- i. The Board of Directors shall meet no less than once per month during their term in office.
- ii. At least one meeting per session shall be held at the University of Toronto Mississauga Campus.
- iii. The Executive Committee is responsible for presenting a schedule of meetings for approval at the beginning of each session.
- iv. Notice of meetings including date, time and place, shall be given no less than fourteen (14) days to the Board of Directors, and a reminder shall be given no less than two (2) business days prior to meeting.
- v. Quorum for meetings is no less than fifteen (15) Directors during the Summer session and no less than twenty (20) Directors during the Fall and Winter Sessions.
- vi. In each term, no more than half of all Scheduled Meetings should be held during regular working hours. A meeting is held during regular working hours if it is called to order:
  1. Between Monday and Friday; and
  2. Between the hours of 9:00 and 17:00.

### **Bylaw III - Meetings**

*As amended September 19th, 2016*

**b. Emergency Meetings**

- i. An Emergency Meeting may be called, with seventy-two (72) hours' notice, by any of the following:
  1. The Chair of the Board of Directors;
  2. A simple majority of the Executive Committee;
  3. One-third (1/3) of the Board as a whole.
- ii. In the case of (1) the Chair must provide every member of the Board with an Agenda and the time and place of the meeting.
- iii. In the case of (2) the Executive Committee must provide the Chair with an Agenda and the time and place of the meeting. The Chair must forward this information to every member of the Board within six (6) hours of receiving it.
- iv. In the case of (3) one-third (1/3) of the Board must provide the Chair with an Agenda and the time and place of the meeting. The Chair must forward this information to every member of the Board within six (6) hours of receiving it.
- v. In every case, notice is given when an agenda and the time and place of the meeting are sent to every member of the Board. The meeting may be called to order no less than seventy-two (72) hours after this point.
- vi. Quorum for an Emergency Meeting shall be ten (10) Directors who are not members of the Executive Committee. Directors participating via proxy shall not count towards quorum.
- vii. Approval for any action must be reported to the next scheduled Board meeting.

**c. Consecutive Board Meetings**

- i. There shall be a Consecutive Board meeting for the outgoing and incoming Board before May 1 of every year.
- ii. Notice of meeting, including date, time and place, shall be given to outgoing and incoming Board of Directors no later than fourteen (14) days before the meeting and a reminder shall be given no less than two (2) business days prior to meeting.
- iii. Quorum applies as scheduled meetings.

**3. Right to Vote**

- a. All Directors elected to the Board of Directors have the right to vote.
- b. All non-voting Board Observers have the right to speak, but shall not be allowed to move, second, or amend motions.

**Bylaw III - Meetings**

*As amended September 19th, 2016*

#### **4. Absentee Voting**

- a. No person shall act for an absent director at a meeting of directors.
- b. Directors may participate and cast votes at meetings of the Board of Directors electronically.

#### **5. Procedure at Meetings**

The rules of procedure at meetings of the Union will be those described in the most recent edition of *Robert's Rules of Order*, supplemented or modified by rules of procedure, which may from time to time be established by standing resolutions.

#### **6. Votes to Govern**

- a. A majority vote of the present members at a quorate meeting of the Directors permits a motion to be carried, unless otherwise specified elsewhere in the Bylaws or the most recent edition of Roberts Rules of Order.
- b. In the event of a tie, a motion shall fail.

#### **7. Speaker of the Board of Directors**

- a. The Speaker of the Board of Directors shall act as the Chair of Board of Directors meetings and for General Meetings for the year.
- b. The Speaker shall be ratified by the Board of Directors at the first Board of Directors meeting upon recommendation from the President and the Vice-President Internal and Services.
- c. The Speaker shall act as the Grievance Officer of the Union as outlined in Bylaw XVII.

### **Bylaw III - Meetings**

*As amended September 19th, 2016*

# **Bylaw IV - Policy of the Union**

## **1. Establishment of Policy**

Policy for the Union may be established from time to time by the Board in accordance with the following guidelines:

### **a. Procedural Policy**

Procedural Policy consists of policy that outlines the procedural framework of the Union. This policy explains the procedures of the Union and the process to properly manage the Union. This includes, but is not limited to, commission and meeting protocol, and censuring members. An example of such policy is the composition of the Academic and Student Rights Commission.

A two-thirds (2/3) majority of the Board may vote to adopt, amend, or rescind Procedural Policy.

### **b. Operational Policy**

Operational Policy consists of policy that outlines the framework of managing the operations of the Union. This policy explains the operations of the Union, which includes, but is not limited to, budget approval framework, office conduct, photocopy limits, and health and dental plan opt-out. An example of such policy is the "Eight-step budget framework", which outlines the process required to approve the operational budget of the Union.

A simple majority of the Board may vote to adopt, amend, or rescind Operational Policy.

## **2. Duration of Policy**

All policy remains the policy of the Union until amended or rescinded.

## **3. Policy Booklet**

All policy of the Union shall be maintained in the Policy Booklet of the Union.

#### **4. Issues Policy and Policy Papers<sup>s</sup>**

Issues Policy and Policy Papers shall be published in a dedicated page on the Union Website. The Commission or Committee that published the Policy or Paper may also choose to make paper copies available at the Union office, or to announce the Policy or Paper via the regular email newsletter to members.

##### **a. Issues Policy**

Issues Policy consists of policy that the Union takes a stance on. It is policy that either opposes, supports and/or condones, but is not limited to actions that the Union or a third-party carries out. An example of such policy is taking a stance on international, national and domestic issues, such as tuition fees.

To adopt, amend, or rescind Issues Policy, simple majority of the Board must vote in favour.

##### **b. Policy Papers**

Policy Papers consist of research and analysis on issues of interest to the Union's members. Policy Papers may contain recommendations on, or be presented in conjunction with Issues Policy. An example of a Policy Paper would be an analysis on new or changed Government Policy or research on barriers faced by a particular marginalized group.

Policy Papers may be published by any Commission or Committee of the Union upon approval by ordinary resolution.



# **Bylaw V - Board of Directors**

- 1. The Board of Directors shall be comprised of:\***
  - a. The following Executive positions:**
    - i. President
    - ii. Vice-President, Internal and Services
    - iii. Vice-President, University Affairs
    - iv. Vice-President, External
    - v. Vice-President, Equity
    - vi. Vice-President, Campus Life
    - vii. Vice-President, Professional Faculties
    - viii. President of UTMSU or Designate from the UTMSU Executive Committee
  - b. Division I Directors: Colleges, Faculty of Arts and Science, and Transitional Year Program**
    - i. Innis College
    - ii. New College
    - iii. Woodsworth College
    - iv. University College
    - v. The University of Trinity College
    - vi. The University of St. Michael's College
    - vii. Victoria University in the University of Toronto
    - viii. Transitional Year Program
    - ix. Academic
  - c. Division II Directors: Professional Faculties**
    - i. Faculty of Applied of Science and Engineering
    - ii. Faculty of Dentistry
    - iii. Faculty of Medicine
    - iv. Faculty of Music
    - v. Faculty of Nursing
    - vi. Faculty of Law

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\* Per §197 (1) of the CNCA, a special resolution of the members is required to change the number of Directors.

## **Bylaw V - Board of Directors**

*As amended September 19th, 2016*

- vii. Ontario Institute for Studies in Education of the University of Toronto
  - viii. Leslie L. Dan Faculty of Pharmacy
  - ix. Faculty of Kinesiology and Physical Education
  - x. Toronto School of Theology
  - xi. Faculty of Architecture and Visual Studies
  - xii. At-large Professional Faculty
  - d. **Division III Directors: UTM**
    - i. Appointed members of the UTMSU Board of Directors
  - e. **General Equity Directors**
    - i. Seven (7) members elected by the Board of Directors and ratified by the Annual Ratification Meeting<sup>§</sup>
  - f. **Board Observers**
    - i. Executive Director
    - ii. All unionized staff
    - iii. Speaker
    - iv. Elected full-time undergraduate student representatives of the University of Toronto Governing Council
    - v. Designated representatives of College and Faculty student societies as described in the Union's Policy
    - vi. Sustainability Commissioner
    - vii. Mental Wellness Commissioner
    - viii. International Student Issues Commissioner
- 2. Term of Office<sup>§</sup>**
- a. All directors shall take office on 1 May and remain in office until 30 April of the following year.
  - b. The exception shall be the director representing the Transitional Year Programme, who shall take office upon being ratified at the Annual General Meeting.

## **Bylaw V - Board of Directors**

*As amended September 19th, 2016*

### 3. Constituency Seats\*

The number of constituency seats is determined by the chart below.

Enrolment figures must be obtained from the University Registrar to determine the members registered and who have paid their membership fees.

#### a. Division I and II

Division I and II Directors must be elected by the constituency they are running in and/or belong to. The number of Directors elected in each constituency shall be allocated according to the following seat distribution, based on enrolment figures as of January 1 or September 1 of any given year, depending on which date is more recent for the election being run.

<b>Number of students registered in Constituency</b>	<b>Number of Seats</b>
25-1,999	1
2,000-3,999	2
4,000-8,999	3
9,000-15,999	4
16,000-24,999	5

#### b. Division III

Division III Directors must be members of the UTMSU Board of Directors, who are appointed by UTMSU to the UTSU Board of Directors. The number of Directors appointed by UTMSU in this constituency shall be allocated according to the following seat distribution, based on enrolment figures as of January 1 or September 1 of any given year, depending on which date is more recent for the election being run.

<b>Number of students registered in Constituency</b>	<b>Number of Seats</b>
25-499	1
500-999	2
1,000-1,999	3
2,000-2,999	4
3,000-4,999	5
5,000-8,999	6
9,000-14,999	7
15,000-22,999	8

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\* Per §197 (1) of the CNCA, a special resolution of the members is required to change the number of Directors.

### Bylaw V - Board of Directors

*As amended September 19th, 2016*

**c. Academic Directors**

- i. There shall be one (1) director elected for each of the following six (6) academic categories, which shall correspond to the admission categories established by the Faculty of Arts and Science:
  1. Computer Science
  2. Humanities
  3. Life Sciences
  4. Mathematical and Physical Sciences
  5. Rotman Commerce
  6. Social Sciences
- ii. The academic category or categories to which a member belongs shall be determined by the Subject POST or Subject POSTs in which said member is enrolled.

**d. Professional Faculties Directors**

- i. There shall be two (2) Directors at-large elected by the members of the Union in all of the following Professional Faculties:
  1. Faculty of Applied Science and Engineering;
  2. Faculty of Dentistry;
  3. Faculty of Medicine;
  4. Faculty of Music;
  5. Faculty of Nursing;
  6. Leslie L. Dan Faculty of Pharmacy;
  7. Faculty of Physical Education and Health;
  8. OISE/UT;
  9. Faculty of Law;
  10. Faculty of Architecture and Visual Studies
  11. Toronto School of Theology
- ii. Individuals elected as Professional Faculty At-Large representatives must be from separate Professional Faculties.

**e. Vice-President Professional Faculties**

- i. The Vice-President Professional Faculties must be a member of and be elected by the Professional Faculties. The Vice-President, Professional Faculties may serve as a full-time student.

**Bylaw V - Board of Directors**

*As amended September 19th, 2016*

# **Bylaw VI - Election of Board of Directors**

## **1. Elections and Referenda Committee**

The Union shall maintain an Elections and Referenda Committee, which shall be responsible for the administration of all elections to fill Board of Directors positions. The Elections and Referenda Committee shall ensure that all elections occur in the manner prescribed by the Bylaws and the policies of the Union. The Elections & Referenda Committee must also ensure that the elections for Division I and Division II positions are following the bylaws and policies outlined specifically for Division I and Division II elections.

### **a. Elections and Referenda Committee**

- i. The Union shall maintain an Elections and Referenda Committee, which shall be responsible for the administration of all elections to fill Board of Directors positions.
- ii. The Elections & Referenda Committee will operate in full the elections for the Executive Committee positions, Academic positions, and the Professional Faculty At-Large positions.
- iii. The Elections & Referenda Committee will monitor all elections run by individual student societies for Division I and Division II positions and ensure that they are being run as outlined in Bylaw VI, Section 2.

### **b. The Elections and Referenda Committee shall be comprised of:**

- i. Three (3) Executive Committee members selected by the Executive Committee
  - ii. One (1) Director from Division I
  - iii. One (1) Director from Division II
  - iv. One (1) additional Director from the Board
- c. The Elections and Referenda Committee shall determine the eligibility of all Executive, Academic and Professional Faculty At-Large nominated candidates.
- d. The Elections and Referenda Committee may disqualify an Executive, Academic or Professional Faculty At-Large candidate or rule an Executive, Academic or Professional Faculty At-Large election invalid for any violation of the Bylaws.
- e. The Elections and Referenda Committee shall submit a report on the conduct and results of all elections to the Board for ratification.<sup>§</sup>

## **Bylaw VI - Election of Board of Directors**

*As amended September 19th, 2016*

## **2. Annual Ratification Meeting<sup>§</sup>**

The Elections and Referenda Committee shall call and hold an Annual Ratification Meeting per Bylaw III - 1.c.

- a. Should the Annual Ratification Meeting adjourn or be declared inquorate without ratification having occurred, or if the ratification motion does not carry, the Elections and Referenda Committee shall meet within ten (10) days to call another Ratification Meeting. This meeting may be held during the Summer session.
  - i. The Elections and Referenda Committee may call as many Ratification Meetings as are necessary to effect ratification.
  - ii. Pursuant to Section 128(6) of the *Canada Not-for-profit Corporations Act*, all Division I, Division II, and General Equity Directors shall retain their offices until their successors have been elected and ratified.
- b. If, within seventy-two (72) hours of the publication of unofficial results, the Chair of the Elections and Referenda Committee receives a challenge to the procedural validity of an election conducted under Bylaw VI - 3, the ERC shall conduct an investigation into said election, with which the relevant student society shall be obligated to comply. If the ERC concludes that the election was procedurally invalid, it shall declare the election void and immediately make preparations to conduct a second election.

## **3. Appointment of Officers and Directors<sup>§</sup>**

- a. There shall be fifteen (15) appointed directors:
  - i. Seven (7) Executives serving as Officers of the Union, appointed by the Board of Directors;
  - ii. Eight (8) representatives of the University of Toronto Mississauga Students' Union, appointed by the University of Toronto Mississauga Students' Union.
- b. All individuals elected to serve as Executives shall be appointed to the incoming Board of Directors by the outgoing Board of Directors under Section 128(8) of the *Canada Not-for-Profit Corporations Act*. The outgoing Board shall, upon ratifying the results of the Spring elections, be deemed to have made the necessary appointments. The results must be approved or rejected in their entirety. No part of the results may be externalized. The Board may not amend or otherwise alter the results.
- c. All individuals elected in the Fall elections shall be appointed to the incumbent Board of Directors by the incumbent Board of Directors under Section 132(1) of the *Canada Not-for-Profit Corporations Act*. The Board shall, upon ratifying the results of the Spring elections, be deemed to have made the necessary appointments. The results must be approved or rejected in their entirety. No part of the results may be externalized. The Board may not amend or otherwise alter the results.

## **Bylaw VI - Election of Board of Directors**

*As amended September 19th, 2016*

- d. All directors appointed to fill vacancies subsequent to the Fall elections shall be deemed to have been appointed under Section 132(1) of the *Canada Not-for-Profit Corporations Act*.

#### **4. Division I and Division II Internal Elections**

With the exception of the Academic positions and the Professional Faculty At-Large positions, all Division I and Division II position elections must conform to the following:

- a. Prior to November 31 of the current term, the Elections & Referenda Committee will inform all student societies within Division I and Division II of the upcoming Spring elections.
- b. The Elections & Referenda Committee will request a response from each student society within Division I and Division II specifying whether or not that student society would like to host internal elections for their Director positions.
- c. The Union will allow the following student societies to hold elections for their respective Director positions:
  - i. Architecture and Visual Studies Students' Union (AVSSU)
  - ii. Dental Students' Society (DSS)
  - iii. Engineering Society (EngSoc)
  - iv. Medical Society (MedSoc)
  - v. Faculty of Music Undergraduate Association (FMUA)
  - vi. Nursing Undergraduate Society (NUS)
  - vii. Undergraduate Pharmacy Society (UPS)
  - viii. Innis College Student Society (ICSS)
  - ix. New College Student Council (NCSC)
  - x. University College Literary and Athletic Society (UCLit)
  - xi. Students' Law Society (SLS)
  - xii. Trinity College Meeting (TCM)
  - xiii. Woodsworth College Students' Association (WCSA)
  - xiv. St. Michael's College Students' Union (SMCSU)
  - xv. Victoria University Students' Administrative Council (VUSAC)
  - xvi. Student Teachers' Union (OISE)
  - xvii. Transitional Year Program Student Council (TYP SA)
  - xviii. Kinesiology and Physical Education Undergraduate Association (KPEUA)
  - xix. Toronto School of Theology Round Table (TSTRA)

#### **Bylaw VI - Election of Board of Directors**

*As amended September 19th, 2016*

- d. The Union will allow each student society to run internal elections in accordance to their respective bylaws, policies and elections procedures.
- e. If a student society decides to run an election for their respective Directors(s), all Candidates must run within the internal student society election to obtain the Board of Directors seat and cannot run in a general Union election.
- f. In the event that a student society does not submit a request to host internal elections by December 15, the Elections & Referenda Committee will host the elections for that position alongside the elections for the Executive Committee, the Academic Directors, and the Professional Faculties At-Large Directors.

## **5. Schedule of Elections**

### **a. The Union shall hold:**

- i. A general election in the Spring Session, between February 1 and March 31 of each year, for the positions of the Executive Committee, Academic Directors, Professional Faculty At-Large Directors, and any Division I or Division II Director positions that will not be determined by a student society election.
- ii. A general election in the Fall Session, between September 20 and October 30 of each year, for the positions of Directors representing constituencies having an academic program for one year, and for any vacancies in the Board or Executive occurring before August 1 of any year.
- iii. No by-election between December 1 and September 10 of any year.

### **b. The schedule of elections shall include:**

- i. Notice of the date of the Executive, Academic and Professional Faculty At-Large elections and nomination procedure shall be given to members by campus publication and Union website at least fourteen (14) days prior to the start of the nomination period.
- ii. No less than sixteen (16) hours of polling over a period of no less than two (2) days.
- iii. The schedule for elections for the Board of Directors shall be set by the Board of Directors, with recommendation from the Elections and Referenda Committee in consultation with the Chair of the UTMSU Elections and Referenda Committee.
- iv. Recognition of all dates set out for Division I and Division II internal elections.

## **Bylaw VI - Election of Board of Directors**

*As amended September 19th, 2016*



## **6. Nomination**

- a. All Division I and Division II Directors running in internal student society elections will be nominated and elected in accordance to their respective student society's bylaws, policies and elections procedures.
- b. In the case of a Union held election, Division I or II Director Candidates in an election for a Constituency shall be nominated by no less than twenty-five (25) members of the Constituency group and submitted to the Elections and Referenda Committee.
- c. Candidates in an election for an Executive position shall be nominated by no less than one-hundred (100) members and submitted to the Elections and Referenda Committee.

## **7. Voting**

- a. Members of the Union may cast one ballot for each position available in an election, in their respective constituency.
- b. Each nominee may appoint a scrutineer to oversee the counting of ballots when a paper ballot is used. Each scrutineer must be presented with the online voting results during the process of counting ballots
- c. All members who vote online must receive a receipt that allows them to independently verify that their vote was correctly recorded by checking the receipt against a public, anonymized list of all of the online ballots cast.<sup>§</sup>

## **8. Restrictions on Campus Life Solicitation<sup>§</sup>**

No candidate for Vice-President Campus Life may solicit votes or political support from clubs in exchange for resources.

## **9. Election Procedure Code**

In addition to this Bylaw, there shall be an Election Procedure Code governing the elections of the Board of Directors, which must be approved by the Board of Directors, based on the recommendation of the Elections and Referenda Committee. Amendments to the Election Procedure Code shall be subject to the restrictions outlined in Bylaw VII - 1.<sup>§</sup>

## **Bylaw VI - Election of Board of Directors**

*As amended September 19th, 2016*

# **Bylaw VII - Duties and Responsibilities of the Board**

The Board of Directors is the highest decision-making body of the Union that governs the daily advocacy and services. It consists of Directors elected by the membership to govern the affairs of the Union. Decisions made at the Board are final, unless rescinded.

## **1. Externalization**

The Board has the right to externalize any motions brought forth by a committee or commission, or to ratify or reject all actions of the committees and commissions with the following exceptions:

- a. Any staff or personnel issues;
- b. Any actions of the Elections and Referenda Committee, with the exceptions of
  - i. allocations of funds; and
  - ii. amendments to the Elections Procedure Code.
    1. In the case of (ii), amendments passed by the Elections and Referenda Committee may be overturned by a two-thirds (2/3) majority of the Board.
- c. Any Appeals Committee actions.

## **2. Board Responsibility for Union Finances and Property**

The Board shall receive, budget and administer all moneys, properties, and securities of whatever nature may be placed in the custody of, or that may become the property of the Union.

## **3. Board Responsibility for Union Budget**

The Board shall prepare an annual budget for the Union.

## **4. Maintenance of Union Policy Manual**

The Board shall maintain an up-to-date policy manual for the Union.

## **5. Division I and II Director Responsibility**

Constituency Directors are responsible for:

- a. Attending meetings of the Board of Directors, and sending regrets to the speaker when unable to attend;<sup>§</sup>
- b. Reporting activities of the Union to their Constituencies and corresponding student societies;<sup>§</sup>
- c. Sitting on at least one (1) committee;<sup>§</sup>

## **Bylaw VII - Duties and Responsibilities of the Board**

*As amended September 19th, 2016*

- d. Division I directors shall be responsible for attending at least two (2) commissions, and division II directors shall be responsible for attending at least one (1) commission;<sup>§</sup>
- e. Maintaining regular office hours or actively joining a project or campaign of the Union;
- f. Acting with diligence, fiduciary responsibility, honesty and good faith in the best interest of the Union; and,
- g. Recruiting students from their constituency to participate in Union projects, events, services, and campaigns.
- h. Reading, understanding and abiding by the Union Bylaws, Letters Patent and Policies.
- i. Maintaining confidentiality of in camera sessions and documentation.

## **6. General Equity Directors Responsibility**

General Equity Directors are responsible for:

- a. Attending meetings of the Board and Commissions and Committees in which they hold membership;
- b. Sitting on the Equity Committee;
- c. Sitting on the Social Justice and Equity Commission, and chairing at least one of its sub-commissions;
- d. Actively working on equity initiatives of the Union;
- e. Acting with diligence, fiduciary responsibility, honesty and good faith in the best interest of the Union; and,
- f. Recruiting students from their constituency to participate in Union projects, events, services, and campaigns.
- g. Reading, understanding and abiding by the Union Bylaws, Letters Patent and Policies.
- h. Maintaining confidentiality of in camera sessions and documentation.

## **7. Rights of the Board of Directors**

The Board of Directors, can, with exceptions of staff and office policies, vary, add to, reassign or limit the powers and duties of the executives or individual members of the Executive Committee by a two-thirds (2/3) majority vote of members present at the meeting of the Board, subject to provisions in these bylaws.

## **Bylaw VII - Duties and Responsibilities of the Board**

*As amended September 19th, 2016*

# **Bylaw VIII - Responsibilities of Executive Committee Members**

## **1. Members of the Executive Committee shall be:**

### **a. Voting:**

- i. President
- ii. Vice-President, Internal and Services
- iii. Vice-President, University Affairs
- iv. Vice-President, External
- v. Vice-President, Equity
- vi. Vice-President, Campus Life
- vii. Vice-President, Professional Faculties
- viii. President of the UTMSU or Designate from the UTMSU Executive Committee

### **b. Non-voting:**

- i. Executive Director
- ii. Speaker

## **2. Responsibility of the Executive Committee**

The powers of the Executive Committee include the power to:

- a. Authorize the reimbursement of the reasonable expenses incurred by Directors and officers of the Union in carrying out their duties, including their attendance at meetings of the Board of Directors and the Executive Committee;
- b. Employ staff as it deems necessary and determine and review their terms of employment;
- c. In conjunction with the Vice-President, Internal and Services expend funds of the Corporation in accordance with the budget as approved by the Board and establish procedures for the administration of the Union's funds.
- d. Prepare agendas for meetings of the Board and schedule meetings of the Board pending Board approval.

## **Bylaw VIII - Responsibilities of Executive Committee Members**

*As amended September 19th, 2016*

### **3. Responsibility of Executive Members**

#### **a. President**

- i. Serves as the official representative and spokesperson of the Union;
- ii. Serves as the Chief Executive Officer of the Union, as defined in the Act;
- iii. Serves as an ex-officio member with a vote on all Commissions and Committees of the Corporation with the exception of the Executive Review Committee.
- iv. Serves as a signing officer of the Corporation.
- v. Has the authority, along with one other signing officer, to bind the Union to contracts, agreements, and other obligations.

#### **b. Vice-President, Internal and Services**

- i. Acts as the Interim-Chair in the absence of the President.
- ii. Serves as Human Resources Manager of the Union;
- iii. Serves as Chief Financial Officer of the Union;
- iv. Serves as Chief Operating Officer of the Union;
- v. Serves as official Secretary of the Union.
- vi. Serves as a signing officer of the Corporation.
- vii. Has the authority, along with one other signing officer, to bind the Union to contracts, agreements, and other obligations.

#### **c. Vice-President, University Affairs**

- i. Chairs the Academic and Student Rights Commission
- ii. Acts as the Interim President in the absence of the President and Vice-President, Internal and Services
- iii. Acts as chief liaison between all of the College, Faculty, Academic Councils and the central administration.

### **Bylaw VIII - Responsibilities of Executive Committee Members**

*As amended September 19th, 2016*

**d. Vice-President, External**

- i. Chairs the Community Action Commission;
- ii. Serves as the chief liaison to all student unions external to the University of Toronto;
- iii. Liaises with other external representatives from Post-Secondary Students' Unions and national student organizations on issues of common concern;
- iv. Serves as the official representative to the Canadian Federation of Students and Canadian Federation of Students – Ontario.

**e. Vice-President, Equity**

- i. Chairs the Social Justice Equity Commission;
- ii. Works to ameliorate the status of women, minorities and other marginalized groups at the university;
- iii. Liaises with all the university equity offices and equity groups funded by Union levies.

**f. Vice-President, Campus Life**

- i. Chairs the Campus Life Commission;
- ii. Responsible for the oversight of orientation and the Orientation Coordinators;
- iii. Serve as the chief liaison with Union recognized campus groups.

**g. Vice-President, Professional Faculties**

- i. Advises the Union on matters pertaining to Professional Faculty students;
- ii. Works with the Professional Faculties to improve the academic, social and campus lives of all Professional Faculty students;
- iii. **Chairs the Professional Faculties Commission.**

**Bylaw VIII - Responsibilities of Executive Committee Members**

*As amended September 19th, 2016*

# **Bylaw IX - Finances**

## **1. Fiscal Year**

The Fiscal Year of the Union is from May 1 to April 30.

## **2. Budget**

There shall be three budgets prepared (Preliminary, Operating, and Revised), all which must follow the Budgeting Planning Framework set in the Operational Policy Manual.

## **3. Borrowing**

The Board shall be empowered to:

- a. Borrow money on the credit of the Union;
- b. Limit or increase the amount borrowed; and,
- c. Issue or sell debentures or other securities of the Union and set the sums and prices thereof.

## **4. Funding Model for UTM Members**

The funding model for Mississauga activities shall be as designated to UTMSU, the details of which are outlined in a contractual agreement.

## **5. Discretionary Spending**

Discretionary Spending shall be determined by the Procedural Policy of the Union.

## **6. Overspending**

Executives may not exceed a particular, itemized allocation of funds by more than 10% without the approval of the Budget Committee. Any such spending must be reported to the Board at the next Scheduled Meeting. This clause does not apply to:

- a. Time-sensitive spending, as defined in the Time-Sensitive Spending Policy; and
- b. Spending on services, as allocated in the Operating Budget.

## **7. Banking**

The banking of the Union shall be transacted at a bank or credit union designated by the Officers of the Union.

## **Bylaw IX - Finances**

*As amended September 19th, 2016*

# **Bylaw X - Removal from Office**

## **1. Abandonment of Office<sup>s</sup>**

A Division I or Division II Director of the Union shall be deemed to have delivered their resignation, confirmed by a simple majority vote of the Board, in any of the following cases:

- a. The director has failed to send regrets for two (2) missed meetings;
- b. The director has failed to attend three consecutive meetings or any four meetings, regardless of sent regrets;
- c. The director has failed to attend any three meetings of a committee they sit on.

Meetings shall refer to any meeting of the Board of Directors or general meeting of the members.

## **2. Ineligibility**

A Division I or II Director of the Union shall cease to be eligible to remain in such office if the Director:

- a. Fails to become a member of the Union, for the academic year in which they hold office by the first day of the Fall session;
- b. Ceases to be a member of the Union;
- c. At any time becomes of unsound mind or is found by any court of competent jurisdiction to be mentally incompetent; or,
- d. Submits a written resignation, from such office, to the Board.

## **3. Impeachment Proceedings**

A Division I or II Director may be removed from office upon the following procedure, in order stated:

- a. A petition signed by no less than fifteen per cent (15%) of the membership in the Constituency that elected the Director calling for a referendum on the question of the Director's removal;
- b. A referendum conducted by the Board in the Constituency represented by the Director; such a referendum shall follow upon a simple majority of the Board vote on the resolution.

## **Bylaw X - Removal from Office**

*As amended September 19th, 2016*



#### **4. Vacancies**

- a. Division I or II Director vacancies that occur after the nomination period for the Fall by-elections shall be replaced by an interim election at the Board. The vacancy shall be open to any member of the Union who is a member of the constituency that the vacancy occurred in.
- b. Executive vacancies require a by-election to be called no later than thirty (30) days:
  - i. Provided that the vacancy occurs during the month of May, June, or July, the by-election shall be held in conjunction with the Fall Session General Elections. Until the vacancy is filled, the Executive Committee shall designate an interim Executive to fill the vacant office subject to Board approval.
  - ii. If the vacancy occurs on or after August 1 or once the Fall Session General Elections process has begun, the Executive Committee shall post the vacant position for no less than twenty (20) days, conduct an interview process and select no less than two (2) candidates to send to the Board of Directors for election.

#### **5. Removal of Executives<sup>s</sup>**

- a. Members of the Executive may be removed from office by:
  - i. A simple majority of members of the Union, voting in a referendum requisitioned by no less than 5% of members of the Union. No more than 500 members from any one constituency may be counted toward the 5%;
  - ii. A three-fourths majority of the Board of Directors, who must constitute at least one-half of all members of the Board of Directors;
  - iii. A two-thirds majority of the Board of Directors, conditional on a recommendation of impeachment by the Executive Review Committee.
- b. In the case of (i), the requisition must be submitted to the Chair of the Board of Directors. The Chair must then call an Emergency Meeting, to be called to order no less than ninety-six (96) hours after the submission of the requisition. At the Emergency Meeting, the Board shall schedule the requisitioned referendum to be held no less than ten (10) days before and more than twenty (20) days after the day of the meeting. The referendum shall be conducted according to the Charter of Referenda, and a simple majority shall be sufficient to remove an Executive from office. In the event of a vote in favour of removal, the Executive in question shall be suspended as soon as the result of the referendum is published, and formally removed as soon as it is ratified by the Board.

#### **Bylaw X - Removal from Office**

*As amended September 19th, 2016*

- c. In the case of (ii), a motion to impeach an Executive may be moved by any member of the Board. The motion must specify the misconduct of which the Executive in question is accused, and be sent to every member of the Board at least ten (10) days prior to the Board meeting at which it is to be considered. A motion to impeach may not be withdrawn. At the meeting, the motion may not be put to a vote before the Executive has been given at least forty-five (45) minutes to offer a defence. The accused Executive have shall the right to be represented by an individual of their choosing, as well as the right to present documentary evidence. Any such evidence must be sent to the Board at least three days prior to the meeting at which the motion to impeach is to be considered. Should three-fourths (3/4) of the Board vote in favour of impeachment, the Executive shall leave office as soon as the result of the vote is announced.
  
- d. In the case of (iii), a motion to impeach an Executive may be moved by any member of the Board on the condition that the Executive Review Committee has recommended impeachment. The motion must specify the misconduct of which the Executive in question is accused, and be sent to every member of the Board at least ten (10) days prior to the Board meeting at which it is to be considered. A motion to impeach may not be withdrawn. At the meeting, the motion may not be put to a vote before the Executive has been given at least forty-five (45) minutes to offer a defence. The accused Executive have shall the right to be represented by an individual of their choosing, as well as the right to present documentary evidence. Any such evidence must be sent to the Board at least three days prior to the meeting at which the motion to impeach is to be considered. Should two-thirds (2/3) of the Board vote in favour of impeachment, the Executive shall leave office as soon as the result of the vote is announced.

**Bylaw X - Removal from Office**

*As amended September 19th, 2016*

# **Bylaw XI - Commissions and Committees**

## **1. Commissions and Committees of the Union**

The Commissions and Committees of the Union shall conduct all decisions made by the Board and seek Board approval in all matters.

## **2. Commissions of the Union<sup>s</sup>**

There shall be commissions open to the membership to provide a means to get involved in directing the services, advocacy and lobbying of the Union. Commission chairs shall file an annual report to the Board at the Consecutive Board meeting, giving an overview of the year's activities and recommendations regarding their Commission.

The Commissions of the Union are:

### **a. Campus Life**

- i. The Chair of the Campus Life Commission shall be the Vice-President Campus Life.
- ii. The mandate of the Campus Life Commission shall include, but not be limited to:
  1. Advocacy on student life issues at the University;
  2. Conducting projects and events to enhance student life at the University;
  3. Assisting with the management and oversight of Blue Crew;
  4. Assisting with the planning and execution of Orientation events.

### **b. Community Action**

- i. The Chair of the Community Action Commission shall be the Vice-President External.
- ii. The mandate of the Community Action Commission shall include, but not be limited to:
  1. Advocacy related to education issues;
  2. Issues related to national and provincial student unions;
  3. Advocacy to federal, provincial, and municipal governments
  4. Advocacy and collaborations with external organizations to the University of Toronto.

## **Bylaw XI - Commissions and Committees**

*As amended September 19th, 2016*

**c. Social Justice and Equity**

- i. The Chair of the Social Justice and Equity Commission shall be the Vice-President Equity.
- ii. The mandate of the Social Justice and Equity Commission shall include, but not be limited to:
  1. Ensuring the University develops as an equitable space;
  2. Ameliorating the status of marginalized groups at the University;
  3. Implementing projects and campaigns relating to all forms of discrimination affecting the membership.

**d. Academics and Student Rights**

- i. The Chair of the Academics and Student Rights Commission shall be the Vice-President University Affairs.
- ii. The mandate of the Academics and Student Rights Commission shall include, but not be limited to:
  1. Advocacy on academic, cultural, educational, environmental, and university governance issues at the University of Toronto.

**e. Sustainability Commission**

- i. The Chair of the Sustainability Commission shall be the Sustainability Commissioner, who shall be elected at the second Board of Directors Meeting.
- ii. The mandate of the Sustainability Commission shall include, but not be limited to:
  1. Advocacy related to environmental sustainability;
  2. Ensuring that the sustainability policy is being followed.

**f. International Student Issues**

- i. The Chair of the International Student Issues Commission shall be the International Student Issues Commissioner, who shall be elected at the second Board of Directors Meeting.
- ii. The mandate of the International Student Issues Commission shall include, but not be limited to:
  1. Advocacy related to international students;
  2. Issues related to immigration and citizenship for international students.
  3. Ameliorating barriers that international students face on campus.

**Bylaw XI - Commissions and Committees**

*As amended September 19th, 2016*

**g. Mental Wellness**

- i. The Chair of the Mental Wellness Commission shall be the Mental Wellness Commissioner, who shall be elected at the second Board of Directors Meeting.
- ii. The mandate of the Mental Wellness Commission shall include, but not be limited to:
  1. Advocacy related to the mental wellness of students;
  2. Ensuring greater access to mental wellness resources on campus.

**h. Professional Faculties**

- i. The Chair of the Professional Faculties Commission shall be the Vice-President
- ii. The mandate of the Professional Faculties Commission shall include, but not be limited to:
  1. Advocacy on behalf of professional faculty students;
  2. Assessing how the UTSU can better serve professional faculty students;
  3. Hosting events for professional faculty students;
  4. Collaboration with professional faculty student societies

**3. Commission Membership**

Members of the Union shall become ratified members at a meeting of the Commission and shall obtain voting rights at the subsequent meeting of the Commission. Board members shall be voting members of Union Commissions for the duration of their term.<sup>§</sup>

**4. Commission Procedures**

- a. Commission membership expires April 30 each year.
- b. The Commissions shall have the right to implement their own procedures which must obtain Board approval, including procedures for involving Union members online in the Commission's activities.<sup>§</sup>
- c. All commissions shall meet when and where they choose on the St. George or Mississauga Campuses, provided that they meet at least once prior to July 15 to discuss the commission's budget, and meet at least once in September, October, November, January, February and March.<sup>§</sup>
- d. Notice of meeting shall be given no less than seven (7) days prior to the start of the meeting.<sup>§</sup>
- e. Every member has one (1) vote and cannot proxy.
- f. Non-Director members may be removed from Commissions by a majority vote at the Board.

**Bylaw XI - Commissions and Committees**

*As amended September 19th, 2016*

*Bylaws of the University of Toronto Students' Union*

- g. Non-Director members cease to be members of the Commission when they fail to attend three (3) consecutive meetings in a row.
- h. Quorum is four (4) members of the commission.
- i. Commissions have the right to strike working groups, ministries and sub-committees to assist with the work of the Commission.
- j. All resolutions of the Commissions have to be ratified by the Board.
- k. Additional Commission procedures may be described in the Union's Policies.<sup>§</sup>

**Bylaw XI - Commissions and Committees**

*As amended September 19th, 2016*

## **5. Committees of the Union**

All Committees shall adhere to the Union's Operational Policy Manual. The Committees of the Unions shall be as follows:

- a. **Budget**
  - i. To assist with budget preparation in accordance with the procedure governing budget preparations;
  - ii. Oversee Orientation budget
- b. **St. George Clubs**
  - i. Membership of the St. George Clubs Committee is defined in the Union's policy;
  - ii. To ensure the fair distribution of club funds as allocated in the Union budget;
  - iii. To recognize, withdraw recognition, assist or otherwise deal with Union clubs;
  - iv. Review the Union Clubs Policy and recommend changes to the Board of Directors.
- c. **Elections and Referenda**
  - i. To oversee the elections and referenda;
  - ii. Review the rules governing elections and referenda and recommend any changes to the Board;
  - iii. Schedule election dates, subject to Board approval;
  - iv. Hire election officials, the Chief Returning Officer, the Deputy Returning Officer(s), and polling clerks.
- d. **Professional Faculty**
  - i. Address issues related to the Professional Faculties and report proposed campaigns and projects to the Board;
  - ii. Recommend to the Board specific actions to enhance delivery of services to the Professional Faculties.
- e. **Policy and Procedures**
  - i. To propose amendments to policies, procedures and bylaws;
  - ii. To ensure that any unwritten policy or procedure commonly utilized by the Union, be proposed in the form of a written policy. These policies or procedures shall be presented to the Board for approval;
  - iii. To ensure that the policy and procedure manual is updated and complete;
  - iv. All policies and procedures must be submitted to the Committee for review before Board approval.

## **Bylaw XI - Commissions and Committees**

*As amended September 19th, 2016*

- f. **Organizational Development and Services**
  - i. Review and administer all services of the Union;
  - ii. Propose short and long-term planning for services of the Union;
  - iii. Negotiate and recommend to the Board a Health and Dental Plan provider.
- g. **Executive Review Committee**
  - i. Investigate charges of misconduct or dereliction of duty of an Executive Committee member and recommend disciplinary action to the Board.
- h. **Executive Committee**
  - i. The Executive Committee shall carry out all decisions of the Board and shall have the powers and duties as are prescribed in the Bylaws or as delegated by the Board of Directors;
  - ii. Between meetings of the Board and its Commissions and Committees, the governance and management of the Union are vested in the members of the Executive Committee, subject to direction from, accountability to, review by, and approval of the Board.
- i. **Student Accessibility Committee**
  - i. To oversee, discuss, and address accessibility issues and projects on campus;
  - ii. To propose short and long-term solutions to ensure accessibility on campus
- j. **Bursaries and Grants Committee**
  - i. To oversee the Bursaries and Grants Program
  - ii. To award needs-based Bursaries and Grants through the Bursaries and Grants Program in an equitable and fair manner.
  - iii. To publicize and maintain a database of Organizations and Institutions offering grants in the Greater Toronto Area.
- k. **Student Refugee Program Committee**
  - i. To review and suggest the sponsorship of a refugee student;
  - ii. To ensure the proper transition of the student to the University of Toronto;
  - iii. To look after the needs and well-being of the student during the time of sponsorship.

## **6. Committee Membership**

Members of the Board shall be elected at a Board meeting by the Directors to serve on the Committees.

## **7. Committee Procedures**

### **Bylaw XI - Commissions and Committees**

*As amended September 19th, 2016*



- a. Committees shall meet when and where they choose on the St. George or Mississauga campuses provided that they meet at least once in September, October, November, January and February.
- b. Notice of meeting shall be given no less than forty-eight hours (48) before the start of the meeting.
- c. Quorum is four (4) members and proxies count for quorum.
- d. Members may carry no more than two (2) proxies.
- e. Committees shall be struck at the Board meeting following the Consecutive-Board meeting and shall be re-struck in November.

## **8. Ad Hoc Committees**

The Board may strike *Ad hoc* Committees at its discretion, subject to the following restrictions:

- a. An *Ad hoc* Committee must have a specific mandate.
- b. The mandate of an *Ad hoc* Committee should not conflict with the mandate of any other Committee of the Union, or with the mandate of any Executive or Commission.
- c. The mandate of an *Ad hoc* Committee must expire on a specific date.

# **Bylaw XII - Referenda**

A referendum of the members of the Union for the purposes of determining any question shall be conducted in accordance with Bylaw XII and the Charter for Referenda.

## **1. Procedure**

- a. Procedures for holding referenda shall be determined by the Charter for Referenda.
- b. Notice of referenda shall be no less than fourteen (14) days of the referenda voting period.
- c. If a referendum is held under Schedule B or Schedule C of the Charter of Referenda, the question must be approved by a two-thirds (2/3) majority of the board.
- d. Referenda shall be conducted in a secret ballot.

# **Bylaw XIII - Relationship With UTMSU**

## **1. UTMSU**

The organization shall be known as the University of Toronto Mississauga Students' Union will hereinafter be referred to as UTMSU.

## **2. Role at Mississauga**

In addition to the purposed of the Union, the UTSU shall:

- a. Work together and not in competition with UTMSU
- b. Take reasonable steps to avoid duplicating or overlapping services, advocacy, and representation to their members registered at the UTM campus that are provided by UTMSU.
- c. Where UTMSU does not provide a particular service to members of UTSU registered at UTM, UTSU shall have the right to provide such a service at UTM.
- d. To work closely with UTMSU to implement projects, campaigns and events at the Mississauga campus.
- e. UTSU and UTMSU shall provide representation to one another on each other's Board of Directors.

## **3. UTSU Representation**

The UTSU executive shall appoint a member from the executive committee to sit on the UTMSU Board of directors:

- a. As a voting member of the UTMSU Board of Directors.
- b. As a liaison to the UTMSU executive on the Unions activities.

## **4. Joint Executive Meetings**

Executive representatives of both organizations shall conference (i.e., meet/caucus) at least once per term/ semester to:

- a. discuss the priorities of each organization;
- b. review and determine the coordination of resources, services and advocacy; and
- c. review the terms of the joint agreement.

## **5. Fees**

UTSU will transfer fees/levies (according to the signed contract) to UTMSU within fourteen (14) days of receiving them from the University of Toronto's administration.

## **Bylaw XIII - Relationship With UTMSU**

*As amended September 19th, 2016*

## **6. Contractual Agreement – Termination**

The termination of the agreement must be ratified by the Board of Directors and membership of both the UTMSU and the Union by:

- a. A  $\frac{3}{4}$  majority at a Board of Directors meeting followed by a  $\frac{3}{4}$  majority at a general meeting; or
- b. By a simple majority at a Board of Directors meeting followed by simple majority at a referendum.

# **Bylaw XIV - Personnel**

## **1. Staff Hiring**

The Executive Committee has the right to employ unionized and contractual staff, as it deems necessary for the best interest of the Union. The Executive Committee shall review their terms of employment as outlined in the Collective Bargaining Agreement between the Union and the Canadian Union of Public Employees Local 1281.

## **2. Executive Director**

- a. The Executive Committee shall appoint a chief business operator to be known as the Executive Director. The Executive Director's duties are in the contract between the Union and the Executive Director, and include:
  - i. Be immediately responsible to the Vice-President Internal and Services, and President;
  - ii. Act as Chief Administrator of the Union
  - iii. Act as manager of both unionized and non-unionized personnel;
  - iv. Act as a liaison between the staff and Executive Committee;
  - v. Receive and administer all funds accruing to the Union and ensure maintenance of appropriate accounting records;
  - vi. Be an ex-officio member without a vote of the Union's Commissions and Committees;
  - vii. Serves as a signing officer of the Corporation.
  - viii. Has the authority, along with one other signing officer, to bind the Union to contracts, agreements, and other obligations.
- b. **Terms of Employment**
  - i. Notwithstanding the above, the Executive Director's responsibilities and terms of employment shall be described in greater detail in the Executive Director's contract. However, the contract may not add to or subtract from the responsibilities enumerated above.
  - ii. The contract shall be approved by a simple majority vote of the Executive Committee, and shall, from time to time, be re-negotiated by a committee chaired by the Vice-President Internal and Services.

## **3. Orientation Coordinators**

The Executive Committee shall hire Orientation Coordinators in accordance with the Policy of the Union.

## **Bylaw XIV - Personnel**

*As amended September 19th, 2016*

#### **4. Associate Vice-President**

Associate Vice-President shall act as an assistant to the Vice-President and shall be hired by the Executive Committee. The number of designated associates to a Vice-President and responsibilities of each is described in the Policy of the Union.

# **Bylaw XV - Amendments**

## **1. Making an Amendment**

An Amendment to the Union's Bylaws shall be ratified as follows:

- a. The Union Bylaws shall be reviewed regularly by the Policy & Procedures Committee and can recommend amendments or repeals to the Board of Directors or review any proposed amendments or repeals for compliance with the Act;
- b. Subject to the Act, the Board of Directors may, by a minimum three- quarters (3/4) majority resolution, make, amend or repeal any bylaws that regulate the activities or affairs of the Union upon the recommendation of the Policy & Procedures Committee.
- c. Any such bylaw, amendment or repeal shall be effective from the date of the resolution of Directors until the next meeting of members where it may be confirmed, rejected or amended by the members by ordinary resolution. If the bylaw, amendment or repeal is confirmed as amended by the members, it remains effective in the form in which it was confirmed. The bylaw, amendment or repeal ceases to have effect if it is not submitted to the members at the next meeting of members or if it is rejected by the members at the meeting.
- d. Paragraphs b. and c. above do not apply to a bylaw that requires a special resolution of the members according to subsection 197(1) of the Act (fundamental change) because such bylaw amendments or repeals are only effective when confirmed by members.

# **Bylaw XVI - Invalidity**

## **1. Invalidity**

The invalidity of any Bylaw or provision shall not affect the validity or enforceability of the remaining Bylaws or provisions.

## **2. Omissions and Errors**

In the event that there are any omissions in giving notice to any member, director or officer or non-receipt of any notice when given in accordance with the Bylaws, such errors or omissions will not invalidate any action taken at any meeting to which the notice pertained.



# **Bylaw XVII - Grievance Procedure**

The Union intends to make itself an open and accessible space to all members. The Union shall have a grievance procedure that facilitates a structured mode to grieve.

## **1. Procedure**

Any alleged violation of the administration or procedures of the Union's Bylaws by the Directors may be dealt with by filing of a Grievance by any member of the Corporation. Any such Grievance shall be put in writing and addressed to the Grievance Officer, who shall be the Speaker of the Union.

- a. In order to be valid, a Grievance shall be submitted to the Grievance Officer within thirty (30) days of the alleged violation taking place.
- b. The Grievance Officer shall ask for a written response from the person or persons responsible for the matter in contention. This response must be received within fourteen (14) days of the request.
- c. The Grievance Officer shall meet with the parties concerned within two weeks of receiving the response referred to in (b) above, and attempt to affect a mutually satisfactory resolution of the matter.
- d. If the matter cannot be resolved in the above manner, then a meeting of the Board must be called within thirty (30) days of the meeting referred to in (c) above.
- e. At this Board meeting, one authorized representative from each side shall present their case and answer any questions from the floor.
- f. The resolution of the issue shall be decided by majority vote of the Board present at the meeting.

## **Bylaw XVII - Grievance Procedure**

*As amended September 19th, 2016*

# **Bylaw XVIII - Appellate Board**

## **1. Terms of Reference**

- a. The Appellate Board shall conduct itself in accordance with the Appellate Board Terms of Reference, which may not contradict the Bylaws and may not be amended other than by a three-quarters majority of the Board of Directors.

## **2. Jurisdiction**

- a. The jurisdiction of the Appellate Board shall be limited to the hearing of appeals of disciplinary decisions from the Grievance Officer, the Elections and Referenda Committee, and the Executive Review Committee.
- b. All decisions of the Appellate Board shall be final and binding on the UTSU.

## **3. Composition**

- a. Class A (4 Members) – The Class A Members shall be members of the UTSU enrolled at the Faculty of Law. They may not have previously sought or held elected office in the UTSU.
- b. Class B (3 Members) – The Class B Members shall be members of the UTSU enrolled in first-entry programs. They shall have completed at least two (2) years of study. Class B Members shall not have previously sought or held or held elected office in the UTSU.
- c. Quorum at meetings of the Appellate Board shall be five (5) Members.

## **4. Appointment**

- a. The Class A Members shall, following an application process, be nominated as a slate by a Nominating Committee chaired by the member of the Board of Directors representing the Faculty of Law. If the member of the Board of Directors representing the Faculty of Law chooses not to participate, the Nominating Committee shall be chaired by the Speaker of the Board of Directors. The slate shall be confirmed by a simple majority of the Board of Directors.
- b. The Class B Members shall, following an application process, be nominated as a slate by a Nominating Committee chaired by the Speaker of the Board of Directors. The slate shall be confirmed by a simple majority of the Board of Directors.
- c. The further composition of each Nominating Committee shall be established by the Terms of Reference.
- d. Each Member shall hold office from 1 May until the subsequent 1 May, or until their successor takes office.
- e. Vacancies shall be filled in accordance with the Terms of Reference.

## **Bylaw XVIII - Appellate Board**

*As amended September 19th, 2016*

## **5. Conditions of Continued Membership and Forfeiture of Office**

- a. No Member may seek or otherwise come to hold elected office in the UTSU during their term on the Appellate Board.
- b. No Member may seek or otherwise come to hold appointed office in the UTSU during their term on the Appellate Board.
- c. No Member may seek or otherwise come to held employment at the UTSU during their term on the Appellate Board.
- d. No Member may seek or otherwise come to held elected, executive office in a divisional student society during their term on the Appellate Board. An exception shall be made for Members of Class A, who may hold office in the Students' Law Society.
- e. Any Member who violates one or more of the above restrictions shall cease to be a Member. If the Appellate Board receives a complaint alleging that one of the Members has violated the above restrictions, the Appellate Board shall rule on the complaint within five (5) days.

## **6. Impeachment**

- a. Any fifty (50) members of the UTSU may petition the Board of Directors to impeach a Member.
- b. The signatories to the petition must meet the conditions of the continued membership established by Bylaw XVIII(6).
- c. The petition must allege specific misconduct by the Member, and must be delivered to the Speaker of the Board of Directors.
- d. Upon receipt of a valid petition, the Speaker shall call a meeting of the Board of Directors. The meeting shall occur between fifteen (15) days and thirty (30) days after the submission of the petition, excluding campaign days. The meeting may not occur during a campaign period.
- e. At the meeting, the Member and one (1) signatory to the petition shall each be given thirty (30) minutes to speak, after which the Board of Directors shall deliberate *in camera*.
- f. At the conclusion of the deliberation period, the Board of Directors shall vote on a motion to remove the Member from office. The motion must receive a two-thirds (2/3) majority in order to carry.

## **7. Standing**

- a. The right to appeal a decision of the Grievance Officer, the Elections and Referenda Committee, or the Executive Review Committee to the Appellate Board shall be limited to the following:

### **Bylaw XVIII - Appellate Board**

*As amended September 19th, 2016*

- i. The individual or individuals who submitted the original complaint to the Grievance Officer, the Elections and Referenda Committee, or the Executive Review Committee
- ii. Any individual or individuals on whom the decision of the Grievance Officer, the Elections and Referenda Committee, or the Executive Review Committee imposed a penalty

## **8. Appeals from the Grievance Officer**

- a. Once the grievance procedure laid out in Bylaw XVII(1) has concluded, any individual with the right of appeal may, within three (3) days, submit a Motion to Appeal to the Appellate Board. The purpose of the Motion to Appeal shall be to persuade the Appellate Board that the decision of the Grievance Officer should be reviewed. In particular, the Motion must persuade the Appellate Board that the Grievance Officer misapplied the relevant Bylaws and/or Policies, or otherwise breached the principles of fundamental justice. The Appellate Board may only decline to hear an appeal if neither condition is met.
- b. If any four Members vote in favour of hearing the appeal, the appeal shall be heard. If the Appellate Board declines to hear the appeal, the decision of the Grievance Officer shall stand. The Appellate Board shall rule on the Motion to Appeal within three (3) days of receiving it, having considered only the Motion itself and the decision of the Grievance Officer that is at issue. No Member shall be compelled to have their vote recorded.
- c. If the Appellate Board votes to hear the appeal, it shall immediately inform both the appellant and the Committee and schedule a hearing, which shall commence within ten (10) days of the ruling on the Motion to Appeal being issued. If the same decision of the Grievance Officer was appealed by multiple individuals, the Appellate Board may consolidate the appeals into a single hearing.
- d. Each party shall be responsible for submitting written arguments, along with any documentary evidence (including a list of witnesses) upon which they intend to rely, to the Appellate Board no later than two (2) days prior to the commencement of the hearing. The parties shall be informed of this responsibility by the Appellate Board when they are informed of the ruling on the Motion to Appeal. Written arguments and documentary evidence submitted later than two (2) days prior to the commencement of the hearing may not be considered by the Appellate Board.
- e. The hearing shall be conducted in accordance with the Terms of Reference.
- f. The Appellate Board shall deliberate *in camera*. No individual who is not a Member may be present for any part of the deliberations.
- g. The Appellate Board shall issue a decision no more twelve (12) hours after the conclusion of the hearing. It shall notify the parties immediately.

## **Bylaw XVIII - Appellate Board**

*As amended September 19th, 2016*

## **9. Appeals from the Elections and Referenda Committee**

- a. Once the Elections and Referenda Committee ("the ERC") has given formal notice of a decision, any individual with the right of appeal may, within twenty-four (24) hours, submit a Motion to Appeal to the Appellate Board. The purpose of the motion shall be to persuade the Appellate Board that the decision of the ERC should be reviewed. In particular, the Motion must persuade the Appellate Board that the Elections and Referenda Committee misapplied the relevant Bylaws and/or Policies, or otherwise breached the principles of fundamental justice. The Appellate Board may only decline to hear an appeal if neither condition is met.
- b. If any four Members vote in favour of hearing the appeal, the appeal shall be heard. If the Appellate Board declines to hear the appeal, the ERC decision shall stand. The Appellate Board shall rule on the Motion to Appeal within thirty-six (36) hours of receiving it, having considered only the Motion itself and the ERC decision that is at issue. No Member shall be compelled to have their vote recorded.
- c. If the Appellate Board votes to hear the appeal, it shall immediately inform both the appellant and the Committee and schedule a hearing, which shall commence within three (3) days of the ruling on the Motion to Appeal being issued. If the same ERC decision was appealed by multiple individuals, the Appellate Board may consolidate the appeals into a single hearing.
- d. Each party shall be responsible for submitting written arguments, along with any documentary evidence (including a list of witnesses) upon which they intend to rely, to the Appellate Board no later than twelve (12) hours prior to the commencement of the hearing. The parties shall be informed of this responsibility by the Appellate Board when they are informed of the ruling on the Motion to Appeal. Written arguments and documentary evidence submitted later than twelve (12) hours prior to the commencement of the hearing may not be considered by the Appellate Board.
- e. The hearing shall be conducted in accordance with the Terms of Reference.
- f. The Appellate Board shall deliberate *in camera*. No individual who is not a Member may be present for any part of the deliberations.
- g. The Appellate Board shall issue a decision no more than six (6) hours after the conclusion of the hearing. It shall notify the parties immediately.
- h. Should the Appellate Board disqualify a candidate after the Board of Directors has ratified the results of the elections, the list of individuals to be presented to the Annual Ratification Meeting shall be amended to reflect to the decision of the Appellate Board.

## **10. Appeals from Executive Review Committee**

- a. Once a decision of the Executive Review Committee ("the XRC") has been ratified by the Board of Directors, any individual with the right of appeal may, within three (3) days, submit a Motion to Appeal to the Appellate Board. The

### **Bylaw XVIII - Appellate Board**

*As amended September 19th, 2016*

purpose of the Motion to Appeal shall be to persuade the Appellate Board that the XRC decision should be reviewed. In particular, the Motion must persuade the Appellate Board that the Executive Review Committee misapplied the relevant Bylaws and/or Policies, or otherwise breached the principles of fundamental justice. The Appellate Board may only decline to hear an appeal if neither condition is met.

- b. If any four Members vote in favour of hearing the appeal, the appeal shall be heard. If the Appellate Board declines to hear the appeal, the XRC decision shall stand. The Appellate Board shall rule on the Motion to Appeal within three (3) days of receiving it, having considered only the Motion itself and the XRC decision that is at issue. No Member shall be compelled to have their vote recorded.
- c. If the Appellate Board votes to hear the appeal, it shall immediately inform both the appellant and the Committee and schedule a hearing, which shall commence within ten (10) days of the ruling on the Motion to Appeal being issued. If the same XRC decision was appealed by multiple individuals, the Appellate Board may consolidate the appeals into a single hearing.
- d. Each party shall be responsible for submitting written arguments, along with any documentary evidence (including a list of witnesses) upon which they intend to rely, to the Appellate Board no later than two (2) days prior to the commencement of the hearing. The parties shall be informed of this responsibility by the Appellate Board when they are informed of the ruling on the Motion to Appeal. Written arguments and documentary evidence submitted later than two (2) days prior to the commencement of the hearing may not be considered by the Appellate Board.
- e. The hearing shall be conducted in accordance with the Terms of Reference.
- f. The Appellate Board shall deliberate *in camera*. No individual who is not a Member may be present for any part of the deliberations.
- g. The Appellate Board shall issue a decision no more twelve (12) hours after the conclusion of the hearing. It shall notify the parties immediately.

## **11. Scope of Penalties**

- a. When hearing appeals from the Grievance Officer, the Appellate Board may only impose those penalties available to the Grievance Officer.
- b. When hearing appeals from the Elections and Referenda Committee, the Appellate Board may only impose those penalties available to the Elections and Referenda Committee. The Appellate Board may not amend the Elections Procedure Code.
- c. When hearing appeals from the Executive Review Committee, the Appellate Board may only impose those penalties available to the Executive Review Committee.

## **Bylaw XVIII - Appellate Board**

*As amended September 19th, 2016*

- d. The Appellate Board may only impose penalties for offences alleged in the original complaint submitted to the Grievance Officer, the Elections and Referenda Committee, or Executive Review Committee

## **12. Amendment**

- a. Notwithstanding Bylaw XV, Bylaw XVIII may only be amended by a two-thirds majority of a general meeting, other than the Annual Ratification Meeting.
- b. Amendments to Bylaw XVIII that have been approved by the Board of Directors shall not take effect until approved by a two-thirds majority of a general meeting.

## **13. Transitional Provision**

- a. The original Members shall be appointed by 1 December 2016 and hold office until 1 May 2017.