

RULES AND PROCEDURES FOR STEWARDS' COUNCIL

The rules and procedures for Stewards' Council followed over the years have not been written in a single document easily accessible to all YUFA members. This document is intended to lay out these rules and procedures **based on the YUFA Constitution, the YUFA By-laws, and past practise.** According to the YUFA Constitution, *Article 3.4 Order*, the proceedings of the Association should be conducted in conformity with the rules and procedures of the Association. In cases not covered by these rules and procedures, then we conform to *Bourinot's Rules of Order* (as revised by J.G. Dubroy--which is out of print and is not the most recent version of Bourinot). A similar document has been written for the Executive Committee.

Mandate of Stewards' Council (YUFA Constitution [hereafter referred to as YC], Article 4.1)

The Stewards' Council adheres to the YUFA (the Association) Constitution and By-Laws. Council's mandate is to direct the affairs of the Association between General Meetings. In particular, Council:

- ❖ "ratifies¹ appointments made by the YUFA Executive Committee";
- ❖ "ratifies the establishment of subcommittees of the Executive Committee";
- ❖ "ratifies amendments to the Association's By-laws";
- ❖ "approves primary negotiating positions prior to ratification by the membership";
- ❖ "recommends to the membership amendments to the YUFA Constitution";
- ❖ "reviews the Executive Committee's work plans, organizing plans, and progress reports"; and
- ❖ hears appeals of the Executive Committee's decisions not to advance grievances to the arbitration stage (By-Law 17).

Membership (YC, Article 4.1)

- ❖ Voting membership consists of members of the YUFA Executive Committee, all elected Stewards, and one representative from each recognized caucus.
- ❖ Stewards are elected according to By-law 7.
- ❖ Stewards' terms of office are 3 years.
- ❖ YUFA staff are ex officio members of Council (YC, Article 3.3).
- ❖ No chairperson or equivalent of an academic unit may serve as a Steward.

Role of Stewards (YC, Article 4.3)

"Stewards shall, *inter alia*, represent the interests of the members of their constituent department(s)/unit(s), be responsible for advising and guiding the members of their constituent department(s)/unit(s) in the preparation and processing of complaints and grievances according to the terms of the Collective Agreement, and participate in organizing activities of the Association as required."

Stewards shall elect two representatives from Council to Executive to serve a one-year term beginning June 1st.

Chair of the Council (YC, Article 4.2)

A Chief Steward.

Meeting Frequency (YC, Article 4.2)

Council meets at least 6 times per year. The Executive Committee calls meetings and proposes the agenda of Council. Meetings are scheduled during the academic year from September through June. Unscheduled meetings may be called at the request of 10 members of Council, upon 48-hours notice.

Agendas/Minutes (YC, Article 4.2)

¹ When a motion is presented, Stewards' Council has the option to vote 'yes' or 'no' on the motion. Ratification does not allow for changes to be made to a motion.

Agendas are posted in advance of each meeting. Minutes and agendas are sent to Council members via the Council listserv and hard copies are available at meetings.

All YUFA members are encouraged to attend Council meetings.

Conduct of Meetings

The Chair shall conduct the proceedings in conformity with the rules and procedures enacted by the Association. In cases not covered by the rules and procedures of the Association, Stewards' Council uses *Bourinot's Rules of Order* as revised by J.G. Dubroy as a guide for process at Council meetings.

Debates and Votes

1. Participation in Debate by Council Members and Non-Members

- a) Only voting Council members may participate in the debate on an issue.
- b) On occasion, Council may wish to hear from persons who are not Stewards. The Executive Committee or Chair may extend an invitation to a non-member to speak to Council. Council itself may, by majority resolution, agree to hear non-members on a particular subject for the purpose of adding new information within their expertise.
- c) When appeals of the Executive Committee's decision not to advance grievances to the arbitration state are heard, the grievor may present their case for overturning the Executive's decision (By-Law 17).

2. Voting

- a) Only voting members may vote on Council.
- b) Votes must be cast in person at a Council meeting unless an electronic vote is called outside of a scheduled Council meeting (see 2g below).
- c) When the Chair is satisfied that the debate on an item has covered a full range of issues, or when a motion to call the question has been approved, the Chair shall call the question.
- d) When a question has been called, no motion can be made and no other intervention is permitted until the tally is completed and the results announced.
- e) Normally, voting at Council meetings is conducted by a show of hands.
- f) When a vote is taken on appeals of the Executive Committee's decision not to advance grievances to the arbitration stage, members of Executive do not vote (By-Law 17).
- g) When a vote on matters that are time-sensitive and not complex must be held outside of a scheduled Council meeting, votes will be submitted to an Executive Associate/Staff Representative who collects the votes electronically. The timeframe for voting may vary depending on circumstances but must be specified when a vote is called.

3. Votes by the Chair

The Chair is a voting member of Council and can vote on all motions. The Chair holds the prerogative of casting a second, and deciding, vote in the event of a tie.

4. Abstentions Not Recorded

Members may choose not to vote. Abstentions are not votes, are not normally recorded, and are not factored in the tallying of votes (although members who are present and who choose not to vote are counted as part of quorum). However, members may have their abstention noted for the record.

5. Reconsideration of Business

When an issue is decided at a meeting of Council, it may not be reconsidered during the same meeting. Any subsequent reconsideration must conform to the notice provisions of these rules.

Conduct of Proceedings

1. Quorum

- a) Council may convene and conduct business only when at least 1/3 of elected Stewards are present at a regular or special meeting (YC, Article 4.2). If during a duly constituted meeting the Chair observes (independently or at the request of a member) that quorum is no longer present, the Chair may adjourn the meeting. If the meeting continues, motions cannot be proposed.
- b) The number of voting members for the year (June 1st to May 31st) is determined prior to the first Council meeting in the Fall. The number of elected Stewards required for quorum for the year will be documented on the agenda for the first Council meeting in the Fall.
- c) At a duly constituted meeting (i.e., where quorum is met), motions are approved or defeated based on a simple majority vote by the voting members who are present, with the exception of a motion to put the question (see #1e below).
- d) A vote on motions that is held outside of a scheduled Council meeting is subject to a similar quorum, i.e., at least 1/3 of elected Stewards must vote in order to meet quorum. When quorum is met, motions are approved or defeated based on a simple majority vote by the voting members who actually vote. Email voting for motions must be documented and affirmed at the next Council meeting.
- e) A 2/3 majority is required when a motion is made to put the question. If the motion is passed by a 2/3 majority, then the main motion must be put immediately. If the 'put the question' motion fails to receive a 2/3 majority, then debate continues and further amendments are in order.

2. Speakers Address the Chair

- a) All matters coming before Council are to be addressed to the Chair who will ensure that Council's business is conducted in an orderly manner consistent with the principles and procedures outlined in this document.
- b) No item of business is on the floor of Council unless it has been recognized by the Chair.

3. Decorum

Decorum is to be observed at all Council meetings. If a member or an observer does not respect the Chair's request to observe decorum, the Chair may require that the member(s) or observer(s) leave the meeting.

4. Motions and Rationales

All decisions are to be framed in the form of a motion and must be accompanied by a rationale which explains the import of the motion, outlines its intended consequences, and reports on the consultations undertaken in its preparation.

Motions from the Executive Committee for ratification by Council come forward already approved by the Executive Committee.

5. Notices of Motions

- a) Motions intended for Council's consideration at its regular meetings may be submitted to the Executive Committee for consideration at a scheduled Executive Committee meeting prior to the Council meeting. However motions can be ruled in order by the Chair on the day of the meeting and added to the agenda. [See 6).]
- b) Motions intended for Council's consideration at a special meeting of Council must be submitted to the Executive Committee twenty-four (24) hours prior to the Council special meeting.
- c) No notice is required for a procedural motion.

6. Determining that Motions Are in Order

- a) The Chair, with the advice of the Executive Committee, is responsible for determining if motions submitted for Executive's consideration in advance of regular or special meetings of Council are in order. Such motions must be approved by Executive in order to be included on the Council agenda. (But see 6d.)
- b) All motions circulated with the agenda are deemed to be in order.
- c) All rulings that a motion is out of order will be reported to Council by the Chair together with a rationale for the ruling. Any such ruling is subject to challenge.
- d) Motions for which notice has not been given must normally be delivered to the Chair in writing for a determination of whether a motion is in order. The text of the motion should normally be made available for voters to read, e.g., on paper.
- e) No motion or other intervention is in order when a vote is in progress.

7. Motions That Are Debatable

The following motions are debatable:

- a) substantive motions;
- c) amendments to substantive motions;
- d) sub-amendments to amendments, as above;
- e) referral (debate is limited to the issues raised by referral, see #15d below);
- f) changes to the order of the agenda;
- g) rescinding previous actions; and
- h) limitations on the duration of a debate or on the length of time members may speak.

8. Debating a Motion

- a) Members may speak to any debatable motion but normally may speak only once to each such motion and for a maximum of 5 minutes. Exceptions are as follows:
 - i) the mover of a motion is entitled to speak first and last; and
 - ii) the mover, or an expert designated by the mover, may respond to questions as necessary or clarify material issues.

In addition, the Chair has the discretion to allow Council members to speak more than once as long as no one person is allowed to dominate the meeting and the time available for debate is shared fairly.

- b) The Chair may rule out of order any remarks which are not relevant to the issue before Council.

9. Dividing a Motion

- a) If a motion raises more than one issue for decision, the Chair may, with the agreement of the mover and seconder, divide the motion in a manner which will help Council deal effectively with the issues.
- b) A motion may also be divided by means of a procedural motion to do so.
- c) A motion to divide shall take precedence over the motion under debate.
- d) There is no debate on a motion to divide.

10. Amendments

- a) An amendment to a motion may be moved without notice during debate on the main motion.
- b) Normally, the mover of an amendment should provide a written version of the amendment to the Chair. Before voting on the amendment can take place, the text of the change(s) should normally be made available for voters to read, e.g., on paper.
- c) If a motion to amend is seconded and recognized by the Chair to be in order, discussion will be limited to the issues raised by the amendment until the amendment is resolved.
- d) Only one amendment to a motion may be on the floor at one time.
- e) Each amendment must be resolved before another amendment or the main motion may be considered.

11. Scope of Amendments

- a) An amendment is designed to alter the main motion without substantially changing its intent and shall be strictly relevant to the business under consideration.
- b) The Chair shall rule out of order any amendment which would negate or substantially alter the main motion.

12. Sub-Amendments

- a) A sub-amendment is intended to amend an amendment under consideration.
- b) A sub-amendment can only be moved when an amendment is on the floor.
- c) A sub-amendment is out of order if it has the effect of negating the amendment or altering the amendment to such an extent that it significantly frustrates the purpose of the amendment.
- d) If a sub-amendment is seconded and recognized by the Chair to be in order, discussion will be limited to the issues raised by the sub-amendment until such time as the sub-amendment is resolved.
- e) Only one sub-amendment may be on the floor at one time and must be resolved before another may be considered.
- f) Sub-amendments must be resolved before the amendment can be resolved.
- g) Normally, the mover of a sub-amendment should provide a written version of the sub-amendment to the Chair. Before voting on the sub-amendment can take place, the text of the change(s) should normally be made available for voters to read, e.g., on paper.

13. Friendly Amendments

- a) During the course of debate, the mover and seconder may receive suggestions from the floor about the wording of motions. If the mover and seconder of a motion agree that the intent of the motion would be clarified by a change of wording, they may, with the agreement of the Chair, alter the wording of the motion accordingly.
- b) Any proposed change to the wording which significantly alters the intent of a motion is not a friendly amendment and may be ruled as such by the Chair.
- c) Normally, the mover of a friendly amendment should provide a written version of the friendly amendment to the Chair. Before voting on the amendment can take place, the text of the change(s) should normally be made available for voters to read, e.g., on paper.

14. Resolving a Motion, Amendment, or Sub-Amendment

- a) Motions, amendments, or sub-amendments which are moved, seconded, and recognized by the Chair to be on the floor of Council for discussion must be brought to a vote unless debate is ended by an intervening and overriding procedural motion.
- b) A motion may be withdrawn by the mover and seconder if no member objects. If there is an objection the question of withdrawal should be put to a vote.
- c) The Chair may request that the mover and seconder withdraw a motion if it appears that further debate would not be in the best interests of Council.

15. Procedural Motions

- a) Most procedural motions are not debatable.
- b) If a non-debatable motion has been moved, the Chair may invite the mover of the motion to explain in brief the reason for the motion.
- c) Procedural motions require a mover and seconder and take precedence over motions that are under debate at the time they are moved.
- d) Motion to refer (debatable in part):
 - i) Although procedural in nature, a motion to refer has substantive elements that are debatable. In particular, a motion to refer must identify the person or body to whom the reference is made.

- ii) A motion to refer is in order when a motion is on the floor of Council for discussion. A motion to refer is not in order when an amendment or sub-amendment is on the floor.
 - iii) When a motion to refer is on the floor, only issues relating to the nature of the proposed referral may be debated (e.g., to whom the reference is made, why the reference is being made, when a report back should be expected, etc.).
 - iv) If a motion to refer is defeated, no further motion to refer may be considered with respect to the specific motion being considered unless, in the opinion of the Chair, significant new information has been provided in the debate which would warrant the re-consideration of a referral.
- e) Motion to put the question:
- i) A motion to put the question may be considered when a main motion, amendment, sub-amendment, or a debatable procedural motion is on the floor.
 - ii) If a motion to put the question is resolved in the affirmative, the Chair invites the mover of the main motion to make concluding remarks and then puts the question to Council.
 - iii) If a motion to put the question is resolved in the negative, debate on the main motion resumes.
 - iv) No further motion to put the question can be considered regarding the same motion unless, in the opinion of the Chair, the nature of the subsequent debate warrants the consideration of such motion.
- f) Motion to introduce business for which due notice has not been given:
- i) A motion to consider matters for which due notice has not been given shall be considered under the agenda item of Other Business.
 - ii) A motion to introduce new business without due notice is normally in order only if a written copy of the motion is filed with the Chair by the beginning of the meeting so that the Chair may determine if the motion is in order and may inform members at the beginning of the meeting as to the business to be considered at the meeting. The text of the motion should normally be made available for voters to read, e.g., on paper.
 - iii) The consideration of new business for which due notice has not been given can only proceed with the consent of two-thirds of members present and voting.
- g) Motion to adjourn debate:
- i) A motion to adjourn debate is always in order.
 - ii) If a motion to adjourn debate is carried, Council shall move immediately to the next item of business.
 - iii) The Chair, with the advice of the Executive Committee, shall determine when and how the debate will be resumed.
- h) Motion to adjourn the meeting:
- i) A motion to adjourn the meeting is always in order.
 - ii) If a motion to adjourn the meeting is carried, the meeting ends immediately following the vote.
- i) Motion to extend and further extend the meeting:
- i) A motion to extend a meeting is always in order.
 - ii) A motion to extend a meeting shall specify the new time by which the meeting will conclude.
 - iii) If a motion to extend a meeting is defeated, only one other such motion to extend may be considered subsequently.
- j) Motion to permit a non-member to address Council
- i) A motion to permit a non-member to address Council is always in order.
 - ii) While there is no debate on such a motion, the mover shall provide a brief rationale.

16. Other Procedural Motions

The Chair may recognize other procedural motions (e.g., a motion to recess for a specified time) in circumstances where the implementation of such a motion would assist Council in conducting its business effectively.

17. Precedence of Motions

The Chair shall give precedence to motions as follows (from highest precedence to lowest):

- a) to adjourn the meeting;
- b) to adjourn debate (or table a motion);
- c) to put the question;
- d) to permit a non-member of Council to speak;
- e) to refer;
- f) to amend an amendment; and
- g) to amend.

18. Points of Order and Privilege

a) Points of order:

- i) Points of order are made when it is alleged that there has been a breach of the rules of Council.
- ii) Members have a right and responsibility to rise on a point of order if they believe that the proceedings of a meeting are inconsistent with these rules.
- iii) A point of order should be made as soon as the alleged irregularity occurs and should not be dealt with if other matters have intervened.
- iv) The Chair shall rule on a point of order without debate.

b) Points of personal privilege:

- i) Members may raise a point of privilege based on the belief that the integrity of Council or a member has been compromised.
- ii) If the Chair agrees that a privilege has been violated, the Chair's ruling may include remedies such as requesting an apology or the withdrawal of a remark, correction of a document, or other actions consistent with the principles of Council membership.
- iii) The Chair shall rule without debate. However, the Chair may seek the advice of members and also may consult with the Executive Committee for disposition at a later time. In any event a ruling shall be made no later than the next regular meeting of Council.

19. Challenges to the Rulings of the Chair

- a) When a ruling by the Chair is challenged on a motion from the floor, the Chair shall seek a seconder for the motion.
- b) If there is no seconder, the challenge shall be declared to have failed.
- c) If the motion to challenge is seconded, the Chair shall invite the mover of the motion to provide the reason(s) for the challenge. The Chair shall then explain the reason(s) for the ruling.
- d) There is no debate on a challenge.
- e) A vote shall then be held on the motion to challenge the ruling of the Chair.

20. Items for Information

Information published in the agenda for a meeting of Council or any matter distributed at a meeting of Council or transmitted to members by other means is deemed to have been received by Council.