

## UWOFA Constitution proposed By-Law 22

## 22. Removal and Resignation Procedure

For purposes of this clause, the term “officers of the Association” includes any member of the Board of Directors.

The grounds for removal of an officer of the Association shall be any one of the grounds given in Sturgis under “Removal of Officers.” For example, grounds might include, gross neglect of duties, inability to perform duties due to illness, breach of confidentiality, failure to conform to the Collective Agreement, Constitution or instructions of the Board or a General Meeting, or a pattern of abusive or threatening behaviour. Simply holding a minority view on some particular issue shall not be grounds for removal.

Removal procedures shall be initiated when either (1) 5 members of the Board or (2) 50 members of the Association have presented the President (or Vice-President if the President is the subject of the removal petition) with a petition calling for the removal of an officer. Such a petition shall include the grounds for removal and present substantiating evidence.

Once the President (or Vice-President if the President is the subject of the removal petition) receives such a petition, or a letter of resignation, she or he will call a Board Meeting within 30 days. If a quorum is not met at that meeting, additional meetings will be set until quorum is met.

The officer who is the subject of the petition may elect to attend the Board meeting at which her or his removal is being discussed and may be accompanied by an Academic Colleague of his or her choosing. An officer who resigns may also elect to address the Board, accompanied by an Academic Colleague if desired.

The Board may authorize an Independent Investigation using a professional investigator. In the case of an investigation, the Board will be obligated to await and consider the report before taking further action.

The Board can remove an officer with a two-thirds majority of those voting, given that there is a quorum. Such removal is effective immediately. Acceptance of a resignation by the Board is also effective immediately and will sever all further obligations and rights attached to that office.

In a case where there is an Investigator’s Report, an officer who is removed by the Board may request that the report be considered at the next General Meeting. Once the report has been presented and discussed during a General Meeting, any Member may propose a motion to overturn the decision of the Board. If the motion passes by majority vote (with the presumption of a quorum) then the officer who was removed is reinstated immediately.