

**THE ASSOCIATION OF MCGILL PROFESSORS OF EDUCATION (AMPE) –
L'ASSOCIATION MCGILLOISE DES PROFESSEUR·ES D'ÉDUCATION (AMPE)**

CONSTITUTION

ADOPTED 04 JULY 2023

AMENDED 10 DECEMBER 2024

AMENDED 31 JANUARY 2025

AMENDED 22 APRIL 2025

AMENDED 22 APRIL 2026

ARTICLE 1: NAME

The name of the Association shall be the Association of McGill Professors of Education / Association mcgilloise des professeur·es d'éducation, referred to hereinafter as the Association or as AMPE.

ARTICLE 2: PURPOSE

The purpose of the Association is to be an association of employees, having as its objects the study, safeguarding and development of the economic, social and educational interests of its members and particularly the negotiation and application of collective agreements. Without limiting the scope, application or generality of the foregoing, this purpose includes the following functions:

1. to promote the interests of and regulate employment relations between McGill University and the professors and faculty lecturers of McGill University's Faculty of Education;
2. to promote a positive working environment for academic staff, free of discrimination, interference, restriction, or coercion relating to any term or condition of employment;
3. to provide appropriate representation for all members of the Association; and
4. to negotiate, apply and defend collective agreements on behalf of the Association's members.

ARTICLE 3: MEMBERSHIP

Membership in the Association shall be open to all salaried tenure-stream professors and ranked contract academic staff (CAS) in the Faculty of Education (with duties equal to or greater than half of a regular full-time appointment), with the exception of the Dean, Associate Deans, and Department Chairs.

In order to become a member of the Association, an eligible faculty member shall (a) complete and sign a membership application form, and (b) shall pay to the Association's Treasurer \$2.00 as initial membership dues. Members retain the rights and responsibilities of membership during periods of paid leave and sabbatical. During periods of unpaid leave, eligible members may retain such rights and responsibilities as long as they continue to pay membership dues to the Association as determined in accordance with Article 4.

ARTICLE 4: DUES

1. In addition to the \$2.00 membership dues set out in Article 3, members of the Association shall pay dues established in accordance with this Article, including fees and any levies or assessments.
2. There shall be a dues structure, including fees and any levies or assessments, ratified by the membership. Any changes to the dues structure shall be made at a scheduled General Meeting.

ARTICLE 5: FINANCIAL STATEMENTS

1. The fiscal year of the Association shall be from 1 June to 31 May of the following year.
2. Financial statements of the Association shall be prepared annually by the Treasurer. The financial statements shall bear the signature of the Treasurer and one other member of the Executive. The financial statements shall be made available to members of the Association at least five (5) working days before the General Meeting at which they will be presented for discussion and approval. Once approved, the financial statements will be made available to members.

ARTICLE 6: MEETINGS

1. There shall be at least one (1) General Meeting of the members of the Association during each of the fall and winter terms, which may be held in person or electronically or via a combination of in-person and electronic means. The President may call additional Special Meetings as required.
2. The President of the Association shall preside at all General and Special Meetings, and shall report to the membership on the state of the Association and on specific matters of topical importance.
3. Any seven (7) members of the Association may call for a Special Meeting by presenting a written petition to the Treasurer or Secretary calling for such a meeting. The specific purpose of a Special Meeting must be given in the notice of the meeting and the agenda shall be restricted to that purpose. A Special Meeting shall also be called if the Executive passes a motion calling for approval of strike action or for ratification of a collective agreement. In the event of a lockout by the Employer, such a meeting will be held off campus.
4. At least three (3) working days' notice shall be given to members prior to all General and Special Meetings. In the case of Special Meetings called to ratify a collective agreement, however, notice of at least 24 hours' (one working day's) notice shall be sufficient.

5. Ten per cent (10%) or six (6) of the members of the Association in good standing, whichever is less, shall constitute a quorum for General Meetings of the Association.
6. Motions at a General Meeting shall be carried by a simple majority of those voting.

POWERS AND FUNCTIONS OF GENERAL MEETINGS

7. Before or during a General Meeting, any member of the Association has the right to propose a motion. If adopted, the motion will bind the Executive.
8. General Meetings held prior to a membership vote authorizing strike or other forms of job action or ratifying a collective agreement are for the purpose of providing information and an opportunity for discussion. Any recommendation that the Executive has or intends to make to the membership concerning the formal vote shall be discussed at the meeting. Any member of the Association shall be permitted to speak. Any vote taken at such a meeting shall represent only an expression of the views of those in attendance.

VOTING BY THE MEMBERSHIP

9. The fall General Meeting shall elect an independent Standing Committee on Elections to organize and administer all procedures for elections and voting requiring secret ballot, beginning with the announcement of elections and ending with the announcement of the results as soon as they are known. The Standing Committee on Elections shall also organize all secret ballot procedures.
10. Membership votes that require secret ballot are as follows: Elections for members of the Executive, ratification/modification of collective agreements, and ratification of strike actions. Secret ballots shall be conducted in such a way as to ensure that no member is disenfranchised. The term “secret ballot” shall be understood to refer to paper ballot box voting, electronic voting, or telephone voting, or a combination of these methods. The choice of method(s) shall be at the discretion of the Standing Committee on Elections (the “SCE”). The SCE will also have the authority to make provisions to accommodate members who are away from Montreal at the time of a vote on strike action or ratification of a Collective Agreement.
11. Secret ballots decided by simple majority of those members voting shall be used for the ratification of a recommendation by the Executive to accept a proposed collective agreement or modify affiliation(s). Ratification of a recommendation by the Executive to call for strike action requires the support of fifty-five percent (55%) of those voting by secret ballot. Secret ballots decided by preference voting shall be used for election of members of the Executive of the Association.
12. Voting on other motions, amendments, and actions will be administered by the Executive and does not require secret ballots (unless otherwise motioned and approved by the membership).
13. Voting may only take place during meetings (whether in-person or virtually) unless indicated otherwise (by the SCE for secret ballots, or by the Executive for other voting) in advance of the meeting.
14. The members of the Association may delegate other members of the Association to act as their proxies in General Meetings, including with voting rights.

ARTICLE 7: AMENDMENTS

1. Amendments to this Constitution require a two-thirds vote of those present at any scheduled General Meeting, or at a Special Meeting called for that purpose.
2. Proposed amendments to the Constitution must be circulated with the notice of the scheduled General Meeting at which they will be addressed.

ARTICLE 8: GOVERNANCE

MEMBERS OF THE EXECUTIVE

1. The members of the Executive of the Association shall be:
 - a) the President;
 - b) the Vice-President;
 - c) the Secretary; and
 - d) the Treasurer.These members of the Executive shall be elected for two-year terms.
2. Terms of office shall begin 1 June and end 31 May.
3. All reasonable disbursements incurred in the course of fulfilling one's Association duties shall be reimbursed.

NOMINATION AND ELECTION OF THE MEMBERS OF THE EXECUTIVE

4. The SCE shall organize and administer the election to take place before the end of the official examination period in the winter session.
5. Nominations shall be made by written submission or electronically. In either case the support of two (2) members of the Association and the acceptance of the nomination by the nominee must be appropriately authenticated.
6. The election of members of the Executive shall take place by secret ballot. If only one person is nominated for any Executive position, then an election is not held for that position and the nominated person is selected upon acclamation.
7. The members of the first Executive shall be elected by the members present at the approval of these by-laws. These members shall hold their terms until the first regular election conducted under the terms of these by-laws.

VACANCIES AMONG THE MEMBERS OF THE EXECUTIVE

8. If at any time during the term of office the position of President of the Association becomes vacant, the Vice-President shall become President for the balance of the term of office.
9. If any elected office of the Executive becomes vacant at any time, the SCE shall conduct a by-election. The President shall appoint an interim replacement until the by-election is completed. The by-election shall not be held if six (6) months or less remain in the term of office so vacated, in which case the interim replacement will remain in office until the next regular term begins.

10. A vacancy shall include the unwillingness, inability, or disability of an executive member to act for an extended period.

POWERS AND FUNCTIONS OF THE EXECUTIVE

11. In accordance with the Constitution, the Executive shall administer the affairs of the Association, including but not to restrict the generality of the foregoing, the management of funds and the application of the Collective Agreement, including the grievance/arbitration procedure. It shall establish, set the terms of reference and term of office as well as staff all Standing and *ad hoc* subcommittees of the Executive. The Executive shall report to the membership on its activities, always respecting the confidentiality of any individual member. The Executive shall approve the mandate of the Negotiating Committee. It shall approve the Collective Agreement amendments as proposed by the Collective Agreement Negotiating Committee before presentation to Association members of the principles underlying the proposed amendments. It shall also make a recommendation to members on the final negotiated Collective Agreement.
12. The Executive shall make any arrangements for the maintenance of an office for the Association and the hiring, termination, discipline and negotiation of employment conditions of its personnel if applicable.
13. The Executive shall be responsible for the nomination of candidates for all committee positions, with the exception of the SCE. Further nominations may be proposed by members of the Association through a majority vote at a General Assembly.
14. The President, or his/her delegate from the Executive, shall be an ex-officio non-voting member of all committees, except the SCE.
15. The quorum for a meeting of the Executive shall be a simple majority of the filled positions.

IMPEACHMENT AND DISMISSAL OF MEMBERS OF THE EXECUTIVE

16. The impeachment of a member or members of the Executive (hereafter “the Subject”) is initiated when a Petition of Impeachment is signed by at least twenty-five percent (25%) of members of the Association in good standing on the date the Petition is presented.
17. As soon as is practically possible, a hearing shall be held where the Petitioners and the Subject may present all necessary and relevant evidence to support or defeat the Petition.
18. Unless requested otherwise by the Subject, the hearing shall be held *in camera*.
19. The hearing shall be conducted by an Impeachment Committee constituted in the following manner:
 - a) The Petition shall name a spokesperson for the Petitioners, who shall act as the Petitioners’ nominee on the Impeachment Committee.
 - b) Upon receipt of a duly signed original of the Petition served by registered mail or by bailiff to the official residence of the Subject of the Petition, the Subject shall, within ten (10) working days, notify in writing the Petitioners’ nominee of the Subject’s nominee. The notification shall be served by registered mail or by bailiff to the official residence of the Petitioners’ nominee.
 - c) The two (2) nominees shall agree on a neutral third-party Chair. In the event of the inability to agree within five (5) working days, or in the case of a Petition against the

entire Executive, the Impeachment Committee shall request that an independent Arbitrator accredited in the Province of Quebec be retained as Chair.

20. The only grounds for impeachment shall be:

- a) serious neglect or dereliction of duties;
- b) the taking of decisions of such a nature as to affect the viability of the Association, its continued existence in accordance with its stated purpose, or of such a nature as to place its reputation in irreparable harm;
- c) conviction for an indictable offence; or
- d) conviction for a summary, penal, or statutory offence related to the carrying out of the Subject's functions, which in the opinion of the Impeachment Committee is sufficiently serious.

A disagreement with policy matters or decisions taken in good faith shall not be grounds for impeachment, but rather is subject to the normal election process.

21. The final proof and documentation for impeachment shall be presented and filed within three (3) working days after the completion of the hearing. Following this, the Impeachment Committee shall render a final decision within ten (10) working days. In extraordinary circumstances and after giving all parties the right to be heard, the Impeachment Committee may suspend the Subject from office in the interim until a final decision is rendered. Any unavoidable delay in the rendering of the decision shall not invalidate it.

22. The Impeachment Committee may adopt or reject the Petition, or if it deems appropriate, may decide upon a lesser sanction than dismissal, such as suspension from office for a fixed period of time. The Impeachment Committee may also, without a hearing, reject *prima facie* a frivolous Petition if same does not allege one of the grounds set out in this Constitution, or one which is clearly made for improper motives. If the Petition is adopted then either party may appeal to Council, but only on procedural grounds.

23. An appeal on procedural grounds, if requested in writing by either party, must be filed within ten (10) working days of the rendering of the decision. A special meeting of Council shall be held in order to consider the decision of the Impeachment Committee. Council shall be provided with the relevant documentation at least ten (10) working days prior to this meeting, at which Council shall render its decision. If such a hearing is held, Council shall review only the written material and transcript and shall hear new evidence only in the most extraordinary circumstances.

24. Once the appeal procedure is exhausted or if there is no appeal, the decision becomes final and executory on service upon the Subject of a true copy by registered mail or by bailiff to their official residence within five (5) working days. In the event of a successful impeachment, the usual regulations regarding a vacancy shall take effect.

25. Successful impeachment will disqualify a Subject from running for office for a minimum period of five (5) years. The term is to be at the discretion of the Impeachment Committee and shall be commensurate with the gravity of the offence committed.