

**THE UNIVERSITY OF TECHNOLOGY, JAMAICA
ACADEMIC STAFF UNION (UTASU)**

REVISED CONSTITUTION

AUGUST 14, 2017

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ARTICLE 1

Name

The name of the Trade Union shall be: University of Technology, Jamaica Academic Staff Union (UTASU); hereinafter called the Union

ARTICLE 2

Registered Office

The registered Office of the Union shall be situated at the University of Technology, Jamaica, 237 Old Hope Road, Kingston 6, Jamaica.

ARTICLE 3

Mission

The Mission of the Union is to maintain a professional and vibrant organisation, which serves and protects the interests of its members at all UTech, Ja. campuses, and serves the interests of the University in an environment which reflects integrity, fairness, and transparency.

ARTICLE 4

Objectives

The objectives of the Union are to:

- (a) Represent members in all grievances arising out of their employment.
- (b) Settle grievances between members arising out of their employment
- (c) Improve the status, emoluments, working conditions and conditions of service of members.
- (d) Coordinate with other bodies in efforts to improve the teaching profession and technical education in the country.
- (e) Foster the social well-being of its members.
- (f) Assist members in achieving their goals in relation to their professional advancement.

- (g) Work towards improving the occupational health and welfare of members.
- (h) Play an active role in the education of the membership in current trends and issues.
- (i) Foster the development of levels of professionalism of members (Encouraged increased levels of professionalism/professional conduct of its members)
- (j) Encourage and promote research activities among members
- (k) Encourage the academic visibility of the academic staff
- (l) Gain recognition of the importance of academic staff in the functioning of the university
- (m) Participate in the shared governance of the university
- (n) Protect the tenets of academic freedom for academic staff
- (o) Participate in any other activities which allow for the development and benefit of its members

ARTICLE 5

(1) Membership

Membership shall be open to any person employed or engaged by the University of Technology, Jamaica (hereafter called the University) in the categories of:

- (a) Full-time academic staff, inclusive of those in Teaching, Research, Academic Administration, and Technology.
- (b) Part-time/Pro rated academic staff who (i) are not members of another UTech-related trade union, and (ii) not otherwise employed at UTech in a full-time capacity as administrative or technical staff.
- (c) Special Membership
 - (i) Honorary membership may be conferred by a 2/3 majority vote at an Executive Committee meeting. Candidates for Honorary membership may be nominated by the general Union membership.
 - (ii) Retired membership will be available to persons who were members of the Union at the time of their retirement and are not employed in any post retirement capacity.
- (d) Only fully paid-up members in good-standing shall be eligible for benefits listed under Article 6.

ARTICLE 6

(1) Rights

- (a) The right to attend Union membership meetings and participate in the leadership of the Union;
- (b) The right to vote in all elections and on all business at membership meetings.
- (c) The right to serve on Union committees.
- (d) The right to be a candidate for both elective and for appointive Union office, subject to the nomination procedure and membership requirements for each post, as specified in this Constitution.
- (e) The right to make recommendations and proposals or to criticize the activities of Union officers or committees.

(2) Responsibilities

Every member has the duty to:

- (a) strengthen and defend the Union
- (b) advance the aims of the membership
- (c) attend membership meetings, vote and otherwise participate in the activities of the Union

(3) Benefits

All members in good standing should collectively and independently participate in any benefits gained by the union including but not limited to:

- (a) benefits under collective bargaining
- (b) use of all facilities available subject to good standing
- (c) management and scheduling of resources
- (d) support and representation in any grievance matters
- (e) participation in any schemes or programs negotiated for the benefit of members

ARTICLE 7

(1) Meetings

(a) General Meetings

General meetings shall be held each semester of the academic year, the frequency of which may be so determined by the Executive.

(b) Annual General Meeting (AGM)

- (i) There shall be an Annual General Meeting of the Union once in each academic year between the months of June and July at such time and place as may be determined by the Executive Committee.
- (ii) Notice of an Annual general Meeting shall be given in writing by the Secretary and shall contain a statement of the Agenda and shall be sent to each member whose address for this purpose shall be deemed to be at the University of Technology, Jamaica (UTech), at least seven (7) days prior to the date of the meeting. Only items included in this statement may be discussed and voted upon at the General Meeting.

(c) Emergency General Meeting

- (i) An Emergency General Meeting may be called:
 - At the written request of thirty three and a third per cent of members, or
 - As deemed necessary by the Executive Committee
- (ii) Notice of an Emergency General Meeting shall be communicated to all members within the various faculties/colleges/schools/institutes on all campuses.
- (iii) A notice to the effect shall be signed by the Secretary on the direction of the Executive Committee. Such notice shall contain a statement of the Agenda and should normally be communicated to the membership at least forty-eight (48) hours prior to the meeting.

(2) Quorum:

- (a) The quorum for the commencement of the Annual General Meeting, General Meeting or Emergency General Meeting shall consist of fifteen (15) fully paid up members.
- (b) If an Annual General Meeting summoned as under Article 7 (1) (b) fails to satisfy the quorum requirements of Article 7 (2) (a) the meeting shall be postponed until the seventh

day from the date of postponement. This meeting shall be held at the same time and place without further notice being given.

- (c) If an Emergency General Meeting as summoned as under Article 7 (1) (c) fails to satisfy the quorum requirements of Article 7(2) (a) the meeting shall be postponed until twenty-four hours from the time of postponement.
- (d) A postponed Emergency General Meeting shall be referred to as a *Special General Meeting*. The meeting is still an Emergency Meeting
- (e) A quorum for a Special General meeting not being an AGM or Emergency General Meeting shall be all paid-up members present at the meeting.

ARTICLE 8

(1) Call for Nominations

- (a) At least twenty-eight (28) days before the day appointed for the Annual General Meeting the Secretary of the Union shall request nominations for:
 - (i) Officers and
 - (ii) School/Department representatives
- (b) Each nomination should be supported by a proposer and a seconder and a written declaration from the nominee accepting the nomination and should be received by the Secretary of the Union at least fifteen (15) days prior to the date set for the Annual General Meeting.

(2) Publishing of Nominees

- (a) At least ten (10) days prior to the date set for the Annual General Meeting the Secretary shall cause the names of all nominees together with their proposers and seconders to be displayed in designated areas within all faculties.

(3) Nominations from the floor at an AGM:

Nominations will not be accepted from the floor at an Annual General Meeting where candidates have been duly nominated. Therefore, nominations from the floor will only be accepted for positions that do not have nominations on the date of the AGM.

(4) Voting

- (a) Only paid up members shall be entitled to vote at all meetings of the Union.
- (b) Election of officers shall be by secret ballot and may be done using electronic systems as developed and deemed secure by the executive.
- (c) Voting on other issues shall be by show of hands or by secret ballot as determined by the Executive or electronic method(s) as deemed secure by the Executive
- (d) All matters under discussion at all union meetings shall be decided by a simple majority except for amendments to the constitution and dissolution of the Union, which shall require a two-thirds (2/3) majority of those present and as provided in Article 8 (4) (c).

(5) Election Committee

- (a) An Election Committee will be established by the Executive Committee to assist with the nomination process and the election of the Officers at the Annual General Meeting. The committee shall establish whatever guidelines it deems necessary to ensure fair elections provided that these guidelines are not in conflict with any provisions of the constitution.
- (b) The election committee shall give oversight to the election in other issues or issues requiring voting for decisions, for example, trustee for pension plan.
- (c) Membership of the Election Committee excludes members of the Executives, Nominees, Proposers and Seconders.
- (d) At least twenty one (21) days prior to the date set for the Annual General Meeting the Secretary shall cause the names of the nominees for the Election Committee to be published.

ARTICLE 9

(1) Executive Committee or Officers of the Union

- (a) There shall be an Executive Committee responsible for the day-to-day running of the Union and for ensuring that the aims and objectives of the Union are met and shall consist of the following who shall be known as the officers of the union:
 - (i) President, Vice President, Grievance Officer, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Public Relations Officer and Immediate Past President who shall be known as the Officers of the Union.
 - (ii) The Grievance Officer shall be selected by the Executive Committee and the term of the Grievance Officer shall be the same as for the elected officers.
- (b) The Executive Committee is responsible for:

All matters affecting policies, aims and means of accomplishing the purposes of the Union, not specifically provided for in the Constitution or by action of the membership shall be decided by the Executive Committee using any legal method.
- (c) Executive positions are regarded as non-remunerative. In instances where an executive member has incurred approved/legitimate expenses on behalf of the Union he/she shall be reimbursed upon submission of relevant documentary evidence.

(2) Election of Executive Committee

- (a) Officers of the Union shall be elected by a simple majority vote of members present at an Annual General Meeting. Every Representative of Schools shall be elected until the next Annual General Meeting for a term of two years and shall be eligible for re-election (for one consecutive term) subject to the stipulation that no person shall hold the same office for more than two (2) consecutive terms (*a term is recognized to be two years).

(3) Co-opting Members to the Executive Committee

- (a) The Executive Committee shall co-opt such members to fill such vacancies as may occur in its rank during the period in office except those removed as under Article 8 (c). The Executive Committee shall co-opt such members as they deem fit. Such co-opted members shall not have voting rights at Executive Committee meetings but shall participate in discussions.

(4) Establishing of Sub-Committees and Engaging Professional Services

- (a) The Executive committee may establish sub-committees comprising members of the Union to facilitate the running of the Union. Such sub-committees shall be responsible for prescribed tasks set by the Union and shall report to the Executive Committee.
- (b) The executive committee may engage the professional services as may be required by the union in pursuit of the objectives of the union.

(5) Executive Committee Meetings

- (a) The Executive Committee shall meet as often as it deems necessary, provided that each member is given at least twenty-four (24) hours notice.
- (b) Any member of the Executive Committee may request the Secretary to summon such a meeting.
- (c) Notice of Executive Committee Meetings may either be oral or in writing.

(6) Quorum for Executive Committee Meeting

- (a) Five (5) members including two (2) officers shall constitute a quorum for a meeting of the Executive Committee.

ARTICLE 10 – FUNCTIONS OF THE EXECUTIVE OFFICERS

(1) The President

- a) The President shall be the Chairman at General Meetings Emergency General Meetings or Meetings of the Executive Committee.
- b) Executive officer and official spokesperson for the Union.
- c) Official liaison between the Union and the University; however, the President may designate another officer to act on his/her behalf in specific instances.
- d) Chief liaison between the Union and external agencies, or assign an officer to act on his/her behalf.
- e) Be the official liaison between the Executive Committee and the Union's employee(s).
- f) Preside over meetings of the Executive Committee and of the general membership.
- g) With the advice and consent of the Executive Committee, make recommendations for appointments to University committees, and contract committees, and appoint members to or fill vacancies which may arise on these from time to time.
- h) Determine, with the concurrence of the Executive Committee, the regular meeting dates and times of the Executive Committee, so long as such meetings are held no less than once a month.
- i) Keep the Executive Committee informed of all important matters pertaining to the meetings with university management
- j) Be a member, ex officio, of all committees.
- k) Be a member of the Negotiations Committee and the Bargaining Team.
- l) Provide updates to the executive committee on matters as per meetings of Council

(2) The Vice President

- a) Act as the executive officer of the Union in the absence of the President.
- b) Become President if the presidency becomes vacant between the regular biennial election of officers.
- c) Represent the Union as executive officer when requested to do so by the President.
- d) Be responsible for answering correspondence of a general nature from members.
- e) Be a member, ex-officio, of all committees
- f) Have signatory power, when such is delegated to him/her by the President
- g) Shall assist the President by carrying out tasks delegated to him/her by the President.
- h) Be a member of the Negotiating Committee and the Bargaining Team.
- i) Act as committee liaison and coordinator.

(3) The Treasurer

The Treasurer shall:

- (a) Receive money from members and lodge the same with Bankers of the Union.
- (b) Keep the books of Accounts of the Union and prepare annual financial statements for the general membership and other interested parties.
- (c) Function as prescribed under Sections eleven (11) and sixteen (16) of the Trade Union Law of Jamaica.
- (d) The Treasurer shall be supported in carrying out his/her duties by the Assistant Treasurer.
Hold the funds of the Union and disburse them in accordance with the approved budget.
- (e) Determine the depositories for all incoming funds.
- (f) Make quarterly budget reports to the Executive committee along with any recommendations for changes to the approved budget.
- (g) Prepare financial statements for presentation to the members at general membership meetings, as directed by the committee, on a semi-annual basis.
- (h) Bill all unit members for annual dues, undertake periodic collection of unpaid dues, and accept payroll deduction dues.
- (i) Keep accurate accounts of receipts, disbursements and withdrawals.
- (j) Work with the Assistant Treasurer to ensure effective management and reporting on funds of the union.

Duties of the Treasurer:

- (a) Countersign, with either the President or Assistant Treasurer, all disbursements and withdrawals.
- (b) Report to the Executive Committee on a monthly basis the financial condition of the Union.
- (c) Take the appropriate action to ensure the delegate entitlements.
- (d) Be responsible for initiating an annual audit of the Union's financial records for the preceding fiscal year within sixty (60) days of the end of the academic year.
- (e) Serve as chairperson of the Finance Committee and be a member of the Membership Committee. (When developed)

(4) The Secretary

The Secretary shall:

- (a) Take minutes at all meetings and provide reasonable opportunity for their inspection by members of the Union.
- (b) Keep an up-to-date register of all fully paid-up members.
- (c) Provide each new member of the Union with a copy of the constitution of the Union and a current list of officers not later than ten (10) days after acknowledgement of membership.
- (d) Attend to all correspondence of the Union and maintain a proper file of such correspondence.
- (e) Supervise the documentation of the reports from all sub-committees established by the Union.
- (f) Prepare ballots in consultation with the election committee where necessary.
- (g) Send out Notices and Agendas of all meetings of the Union.
- (h) Design, develop and maintain an effective Records management System.
- (i) Perform any other function assigned in the constitution to the Secretary.
- (j) The Secretary will be supported in carrying out his/her duties by the Assistant Secretary

(5) The Grievance Officer

The grievance officer shall:

- (a) Receive and coordinate the orderly resolution of all grievances brought to the attention of the union.
- (b) Report at every regular Executive Committee meeting the status, disposition and nature of grievances, arbitrations and other matters
- (c) Be a member of the Negotiations Committee and the Bargaining Team.
- (d) Serve as chairperson of the Grievance Committee

(6) The Public Relations Officer

The public relations officer shall:

- (a) Maintain a database of all current members.
- (b) Be responsible for the release of press releases and be responsible for publishing Union communications.
- (c) Be responsible for the building of internal collegiate relations of the union and shall develop procedures by which the Union can work cooperatively with faculty, students, alumni and social organizations through all available channels of communication.
- (d) Serve as the day-to-day link between the Department/School representatives and the President.
- (e) Maintain external contacts with other bodies and individuals in the furtherance of the Union's business.
- (f) Be the spokesperson for the Union in matters, in support of the President who remains the chief spokesperson of the union.
- (g) Co-opt the assistance of other persons in respect of media relations with the consent of the executive committee.

ARTICLE 11

Delegation of Duties

- (a) In The Absence of the President, And Vice President, the Executive Committee shall elect one of its members to act as president provided that the absence of both these officers simultaneously will not exceed four (4) consecutive months.
- (b) In the event of the simultaneous absence of both the president and vice president for a period exceeding four (4) months both posts will become vacant and the person elected to act as President will be designated as President for the remainder of the year.
- (c) The Executive Committee will fill all other vacancies as under 9 (3) (a).
- (d) Where a member of the Executive Committee fails to attend to the assigned responsibilities of the position he/she shall be asked by the Executive Committee to relinquish such a position. That position will then be filled according to Articles 9 (3) (a) and 11 (b).

ARTICLE 12

Election of Officers

- (a) There shall be an election of Union Officers at the Annual General Meeting between the months of June and July on a biennale schedule. The officers elected will assume office at the beginning of September the same year or the beginning of the new academic year, whichever is sooner.

ARTICLE 13

Tenure

- (b) The Officers elected will assume office on the first day of the new Academic Year in tandem with the University's commencement date.
- (c) The term of office for Union Officers shall be two years.
- (d) Union officers shall be eligible for election to the same office for a total of two (2) consecutive terms. Thereafter, a period of four (4) years must elapse before the member shall be eligible to seek election to this office.

ARTICLE 14

Trustees

- (a) All assets trustees belonging to the Union shall be vested in the trustees.
- (b) Trustees of the Union shall consist of the President, Treasurer, and other members of the Executive Committee selected by the executive Committee.
- (c) All funds accruing from such assets shall be disbursed in a manner directed by the Executive Committee of the Union in accordance with the provisions of Article 10 of the rules of the Union.
- (d) Cheques issued on behalf of the Union shall be signed by two (2) of the trustees, one of whom must be the Treasurer.
- (e) New Trustees shall assume authorized duties as soon as practicable after an election.

ARTICLE 15

Use of Funds

- (a) The funds of the Union shall be employed in the discharge of its functions and obligations. These shall include administrative and other expenses, which may arise from time to time in pursuing the aims and objectives of the Union as listed in Article 4.
- (b) The trustees shall deposit funds not intended for the day to day administration of the Union in an interest-bearing account with the Union's bankers.
- (c) The trustees shall maintain accounts only with regulated financial entities.
- (d) The trustees shall have the power to invest funds lodged in the Union's interest-bearing account.

ARTICLE 16

Auditor

- (a) The Executive Committee shall appoint an Auditor annually to perform duties of auditing the books of the Union.

ARTICLE 17

Discipline

- (a) At the beginning of its term in office, the Executive Committee shall at its discretion appoint a disciplinary committee consisting of one member of each department/school.
- (b) The representative from the school/department of the member who is being investigated shall stand down from the Committee for the period of investigation.
- (c) Any member of the Union who is alleged to have acted in any way inimical to the interest of the Union may be charged in writing by any member or members of the Union and given fourteen (14) clear days to appear before the Disciplinary Committee. If the charge or charges are proved, a reprimand, suspension, or expulsion may be imposed at the discretion of the disciplinary committee.
- (d) Any member of the Union that is in disagreement with the finding/ruling of the disciplinary committee may make an appeal to the Executive of the Union.
- (e) The member charged shall have the right to appeal against any penalties at the next Annual General Meeting, General Meeting or Emergency General Meeting whose decision shall be final.
- (f) The Member charged shall have the right to ask his legal representative and/or any other fully paid-up member of the Union to present his or her case, and to call any witnesses in support of his or her case.
- (g) The member or members bringing charges shall have the same right as above.
- (h) Expungement of records will occur where an appellant has been successful.

Recall of Elected Officer

- (a) Any elected member of the executive may be recalled on the submission of a written petition and vote of one third (1/3) of the executive or by two thirds (2/3) vote of the membership.

ARTICLE 18

Making, Altering Amending and Rescinding of Constitution

- (a) The making, altering, amending and rescinding of the rules of the Union may be made at any General Meeting **or** Annual General Meeting of the Union by assent of two-thirds (2/3) of the fully paid-up members present.
- (b) Notice of Motion for the amendment to the Constitution shall be circulated to members at least fourteen (14) days before the date of the meeting.
- (c) Members wishing to submit motions for amendments of the constitution shall submit such motions in writing (with signatures of proposer and seconder) to the secretary of the Union, not less than twenty-one (21) days prior to the date of the meeting.

ARTICLE 19

By-Laws

- (a) The Executive Committee shall submit to a General Meeting for approval such By-laws as it may deem necessary for the furtherance of the work of the Union.

ARTICLE 20

Dissolution

- (a) Dissolution of the Union may be at any Annual General Meeting or General Meeting of the Union by assent of two-thirds (2/3) of the fully paid-up members present.
- (b) Notice of the motion for Dissolution shall be circulated to members at least fourteen (14) days before the date of the meeting.
- (c) The motion for dissolution must be submitted in writing (with signature of proposer and seconder) to the Secretary of the Union not less than twenty-one (21) days prior to the date of the meeting.

ARTICLE 21

Fees

- (a) There shall be no entrance fee for membership of the Union.
- (b) There shall be an annual membership fee payable by (a) full-time members by equal monthly salary deductions; (b) pro-rated and part-time members who are required to pay the annual fee at the time of application; (c) retired members in the amount of 30% of the annual membership fee payable at the time of application. These rates apply for retirees who do not continue in the employ of the university on contract.
- (c) The membership fee shall be determined at a General Meeting.
- (d) Only fully paid-up members shall be eligible for benefits derived.
- (e) Adjustment of fees
- (f) Adjustment of the University Staff Association dues rate shall be the exclusive right of the membership.
- (g) The procedure to adjust the local dues rate shall be:
 - (i) The Executive Committee may call a special Membership Meeting to discuss and vote on a proposed dues increase and any other important issues. If 2/3 of the members attending the meeting vote in favor of a change in dues, it will take effect immediately.

ARTICLE 22

Adopting the Constitution

- (a) The constitution shall be adopted if at the end of voting two thirds of member's present vote in its favor. The **revised** Constitution becomes effective immediately.

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