

Proposed AUNBT constitutional amendment -- Notice of Motion

The AUNBT Executive recommends to the Annual Meeting of 24 April 2012 that the following constitutional amendment be approved. The amendment pertains to Contract Academic Employees [CAEs] and replaces a nearly identical provision that has now expired.

Effect?

The effect of the amendment is to extend the possibility of membership in the Association to former Contract Academic Employees until the later of:

- *one year from the end of the CAE's latest employment with UNB as a CAE*
- *expiration of any right of first refusal [a type of seniority] that the CAE may have.*

Such a provision recognizes that employment of a given CAE is on a term-by-term basis and may be interrupted by terms of non-employment. Given that, in respect of some such CAEs, the Association has continuing representational rights and duties under the collective agreement, it is appropriate that they have a corresponding right to participate as members in the affairs of the Association, should they choose to do so. This provision permits that participation.

Why Necessary Now?

In 2007, when AUNBT opened its doors to CAE by amending the constitution to permit membership, a provision [Article 3 (b.1)] such as that described above was added to the constitution. However, it was given a built-in expiration date because at that time we were unsure that the drive to unionize CAE would be successful or what would be the shape of seniority rights under any collective agreement that we might subsequently negotiate. Accordingly, while we added the provision to show that we were serious about accommodating CAE and were thinking ahead, we made it subject to a sunset proviso in recognition of the fact that its language would have to be reworked in light of the seniority language (right of first refusal) that the first CAE collective agreement actually used. That is what this replacement provision now does.

Notice of Motion

Take notice that at the AUNBT Annual Meeting of 24 April 2012 David Bell will move and Wendy Bourque will second that paragraph (a) of *Article 3 - Membership* of the AUNBT constitution be amended so as to read as follows:

(a) Membership in the Association as a Member shall be open to any Employee **and to any former Contract Academic Employee until either one calendar year after expiration of the latest employment contract or the expiration of any right of first refusal, whichever is later.**

The AUNBT constitution is at <http://aunbt.caut.ca/constitution.html>