

# Clayfield House Constitution, Policies, and Procedures

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# **Clayfield Division Constitution**

## **Part I: Constitution**

1. The By-laws of Co-op are superior to all other legislation. Except as otherwise noted, the Constitution is superior to Legislation of Division Council (DC) and Division Council Meetings.
2. No amendment to the Division Constitution is effective until it is:
  - (a) passed by DC, **and**
  - (b) submitted to the board Secretary for verification that the proposed amendment is not contrary to the By-laws and policies of Co-op, **and**
  - (c) confirmed, with or without variation, by a two-thirds (2/3) majority at a Division General Meeting.
3. If a motion contradicting the Division Constitution in any way is passed by the Board of Directors or a General Meeting of the Co-op, it is the responsibility of the DC to forthwith act in accordance with the By-laws and Policies. If the DC objects to the existing legislation, it may initiate and appeal to the Board of Directors. Otherwise, the DC will ensure that the Division Constitution is amended at the next Division General Meeting so that it no longer contradicts the By-laws of Co-op or the Policies of the Board of Directors.
4. It shall be the responsibility of the Division Chairperson to file, with the Secretary of the Corporation, a copy of the Constitution and every amendment thereto certified by the Division Chairperson within one (1) week of the ratification thereof.
5. The term shall commence on:
  - (a) January 1<sup>st</sup> for the Winter term
  - (b) May 1<sup>st</sup> for the Spring term
  - (c) September 1<sup>st</sup> for the Fall termand shall last for four (4) months.
6. Whenever the masculine is used on its own it is to imply the feminine as well.

## **Part II: Membership**

1. Any member of the Co-op officially registered by the Admissions Committee as a resident of the division is a member of the division, hereinafter referred to as a "member".
2. Every member has a right to:
  - (a) be kept informed of the Co-op matters through block meetings and posted Minutes of all governing bodies of Co-op, and
  - (b) be treated fairly by all managers and fellow members.
3. Every member is required to:
  - (a) perform properly assigned work duty correctly and reliably,
  - (b) treat all other members of the Co-op with consideration and respect, and
  - (c) abide by
    - i. the By-laws of the Co-op,

- ii. the Policies of the Board of Directors,
- iii. the Constitution of the Division, and
- iv. the decisions of the democratically elected governing bodies and appointed officials of the Co-op, and the division.

### **Part III: Division General Meetings**

1. A Division General Meeting should place no later than the third Wednesday of each term for the purpose of:
  - (a) electing a division chairperson,
  - (b) conducting other business in accordance with this constitution, and
  - (c) introducing the chairpersons of the various division management committees to the division members.
2. This meeting shall be called and chaired by the Division Manager (DM) until the DC Chairperson is elected. Once elected, the DC chairs the meeting and all subsequent Division General Meetings of the term.
3. Other Division General Meetings may be called at any time by the DC or by petition of twenty (20) members of the division or twenty (20) percent of the Division Membership, whichever is greater. The petition is required to state the purpose of the meeting.
4. All members shall be given sufficient notice of every Division General Meeting. All members shall be deemed to have been given sufficient notice of any Division General Meeting, if notice, posted prominently in the division, is given as follows. At least ten (10) days prior to the meeting there shall be a notice requesting items of business for the Agenda. At least five (5) days prior to the meeting, there shall be formal notice of the meeting giving date, time, place, Agenda and the text of any proposed amendments to the Constitution.
5. New business must be submitted in writing to the Division Chairperson at least five (5) days prior to the date of the meeting and important business not mentioned in the notice convening such a meeting can not be transacted.
6. Except as otherwise provided, resolution passed at a Division General Meeting by a majority vote overrides all other division legislation.
7. Division General Meetings shall be run according to the Robert's Rules, as adopted by the Board of Directors.
8. Quorum at all Division General Meeting shall be twenty-five (25) members of the division.
9. If quorum is not present at a Division General Meeting within thirty (30) minutes of the time for which the meeting is called:
  - (a) and if the meeting is convened by petition of the members, it shall be cancelled.
  - (b) In any other case, the Chairperson shall set a new date for the meeting not less than seven (7) and no more than fifteen (15) days later than the date in the notice of the meeting. Quorum shall be ten (10) members and notice shall be given to all member as provided in III:4.

10. Every member of the division shall be entitled to one (1) vote only with the exception of the Chairperson who may vote only in the case of a tie. Voting by proxy shall not be permitted.
11. Unless otherwise provided, all questions arising at any Division General Meeting shall be decided by a majority of votes counted by a show of hands. If the majority of the members present at a meeting agree, votes on any motion shall be by secret ballot.

#### **Part IV: Division Council**

1. The administration of the daily operation of the division shall be under the direction and control of a DC consisting of five (5) people: a Division Chairperson and exactly one (1) representative from each block. A block consists of eight (8) apartments serviced by one entranceway. There are four (4) blocks per division. It shall be the responsibility of the DM to ensure that one (1) representative is elected from each block.
2. A Block Representative is elected by the members officially resident in that building and also must be an official resident of that building. The DM or ADM may not be a Block Representative.
3. The office of the Block Representative shall be vacated if:
  - (a) he ceases to reside in the building,
  - (b) by notice in writing to the DC that he resigns the office,
  - (c) by resolution passed by at least 2/3 of the votes cast at a block meeting, he is removed from office for cause,
  - (d) by resolution passed by at least 2/3 of the votes cast at Division Meeting, he is removed from office for cause,
  - (e) the Judicial Committee upholds a resolutions on council for his removal from office for cause, which must be passed by a 2/3-majority vote of council,
  - (f) the term ends, or
  - (g) the person becomes Division Chairperson.
4. The Division Chairperson may be removed from office by resolution passed by at least 2/3 of the votes cast at a Division General Meeting called for that purpose.
5. The DM may fine the Division Chairperson, Secretary/Treasurer, or any council members for failing to perform his duties correctly.
6. Regular DC Meetings shall be held as the DC may from time to time determine. Three (3) days notice must be given in requesting additions to the Agenda. Agendas must be posted at least twenty-four hours prior to the meeting stating time, place, and order of business.
7. The Block Representatives must attend DC Meetings, unless granted a leave of absence by council. This leave may be granted retroactively. Absence without leave from any meeting is a fineable offence. If a Block Representative is absent without leave from 2 or more meetings, he may be expelled from council by a two third (2/3) majority vote of council, provided that he was not given leave of absence at the last meeting missed.

8. Any member of council may convene a special DC meeting at any time. Notice of the meeting shall be given to each member of council by the member convening the meeting not less than one (1) day before the meeting is to take place. Council meetings may be held at any time without formal notice if all council members are present, or if those members have signified their consent in writing in advance.
9. Two thirds (2/3) of the members of council shall constitute a quorum at any meeting.
10. Questions arising at any council meeting shall be decided as provided in the Robert's Rules of Order, and adopted by the Board of Directors.
11. Every member of council shall be entitled to one (1) vote, with the exception of the Chairperson, who may only vote in the case of a tie. Voting by proxy is not permitted.

### **Part V: Division Officers**

1. The DM shall assign a work duty (Co-operative Work (COW)) to each member of the division. The DM may exempt a member from a Co-operative Work (COW) if that person is involved in some other work for the Co-op. Council must approve all exemptions each term.
2. A DM may fine any member assigned a Co-operative Work (COW) for failing to perform it correctly.
3. DC shall have the authority to fine the DM. DC may make formal presentation to remove the DM to the General Manager or the Inter-Divisional Council with cause. The DC shall also recommend a replacement at the time of a removal recommendation.
4. DC shall ratify a Division Secretary/Treasurer appointed by the DM, responsible for preparing and distributing Minutes of DC and Division General Meetings and for collecting and keeping records of Co-operative Work (COW) and other division fines.
5. The Division Chairperson shall be held responsible for the recording of policies passed by DC. These policy records must be passed on to the next DC Chairperson. These policies shall be kept separately from other DC records.
6. The Division Chairperson is responsible for preparing and distributing Agendas of DC Meetings.
7. The Division Chairperson shall post notice of the time for the meeting at which the Judicial Committee shall be selected no later than three (3) days prior to the meeting.

### **Part VI: Block Meetings – Duties of Block Representative's**

1. The DM shall, during the first week of the term, call and chair a meeting in each block of the division for the purpose of electing one (1) Block Representative.
2. A Block meeting may be convened by the Block Representative or three (3) residents of distinct apartments in the block. The Block Representative shall convene a block meeting at least four (4) times per term (no more than twice a month).

3. It is required to give three (3) days notice of block meetings consisting of at least a posted sign or delivered notification.
4. Every member of the block shall be entitled to one (1) vote only with the exception of the chair who may vote only in the case of a tie. Except as otherwise provided all questions arising at a meeting shall be decided by a majority of votes counted by a show of hands.
5. One-third (1/3) of the block residents shall constitute a quorum for the transactions of business at a block meeting. If quorum is not reached, the meeting shall be rescheduled with new quorum requirements being twenty percent (20%) of building members.
6. The Block Representatives are responsible for chairing Block meetings.

# Clayfield House Policies

## **Division Managers' Policy**

(See WCRI Policy)

## **Division Manager Selection Policy**

(Adopted by DC March 1, 1988)

### **Part I: Introduction**

The purpose of this Policy is to give DC a guideline in choosing DMs.

1. After the first DC meeting of the term, the Division Chairperson shall post prominently, notice of the opening of DM selection for the appropriate term(s).
2. At the second DC meeting of the term, council should formulate the questions that will be asked of each candidate.
3. Candidates may be interviewed at any DC Meeting following the second meeting of the term.
4. Candidates should be interviewed individually.
5. Each candidate should submit a resume to the DC Chairperson prior to the meeting in which they will be interviewed. The Chairperson will distribute the resume to the council members.
6. At the DC Meeting closest to the third week of the third month of the term, DC will recommend one applicant to the Inter-Divisional Council for each term in question.
7. The Inter-Divisional Council must ratify the appointment of DM.

### **Part II: Selection Schedule**

<b>Selected in:</b>	<b>Recommended for:</b>
Fall	next Winter, Summer
Winter	next Summer, Fall
Summer	next Fall

### **Part III: Sample Interview Questions**

1. Why do you want to be a DM?
2. What do you think is involved?
3. How much advance preparation are you willing to do/have done?
4. What have you seen in the past that could be improved upon?

# **Noise Policy**

(Adopted by DC February 16, 1988)

## **Part I: Definition**

“Noise” shall be defined as follows: “any continuous or regularly occurring loud sound emanating from an apartment which (a) can be heard outside the apartment and (b) disturbs a resident of Clayfield.”

## **Part II: Quiet Hours**

Quiet times shall be defined as follows:

Monday – Thursday 12:00 am to 9:00 am

Friday – Sunday 2:00 am to 11:00 am

A 24-hour quiet time will be in effect from the beginning to the end of the exam period at Wilfrid Laurier and/or the University of Waterloo (whichever date is earliest and latest). The DM will post these dates.

## **Part III: Violations**

If a member is bothered by noise during a quiet time, they are to first speak to the person causing the noise. If an agreement can not be reached regarding the control of the noise, the still-disturbed member will contact the DM. Any time the DM is contacted to attempt to alleviate the problem, a fine may be imposed at the DM’s discretion. If a member is disturbed by noise during a non-quiet time or regular hours, the same process as indicated above applies. If in the DM’s opinion the noise is unreasonable, even for a non-quiet time, a fine may be imposed at the DM’s discretion.

Second violations of the Noise Policy will require the violator to appear before the Division Judicial Committee to explain their unco-operative behavior. Appeals or fines levied due to violations of the Noise Policy can be made to the Division Judicial Committee as outlined in the Judicial Policy.

If members anticipate that they will be making noise during quiet times, because they wish to hold a party for example, they are expected to inform all residents of their block that they make noise during that time. In this case, it is hoped that fellow residents will be tolerant and obliging. At the same time, however, if a resident abuses this section of the Noise Policy, by claiming to be holding a party every weekend for example, they may be subject to a fine at the DM’s discretion.

The DM and the ADM may delegate the authority to impose fines due to violation of the Noise Policy.

# **VCR Policy**

(Adopted by DC February 2, 1988)

## **Part I: Control**

The control of the VCR is left to the discretion of the DM (that is, the DM controls where the VCR is stationed and determines the sign-in procedure, or can appoint someone to do so).

Any member of Clayfield can sign-out the VCR according to the sign-out procedure.

## **Part II: Damage**

If damaged, the VCR will stay in its damaged state until the incident in question is brought to the attention of DC at its next meeting. DC will then determine the liability and damages resulting. There are 3 types of damage as outlined under W.C.R.I. Damage Policy (*damage* includes loss or theft):

- ◆ **Accidental Damage:** Members are not fined for accidental damage.
- ◆ **Careless Damage:** Members are required to pay at least half and may be required to pay all the cost of any damage that results from carelessness.
- ◆ **Malicious Damage:** Members are required to pay the full cost of repairing any malicious damage. In addition, they may be fined and/or membership reviewed. The DM may report substantial malicious damage to the police. Unreported damage is considered malicious damage.

Evaluation of the damage by a qualified service person shall determine the cost and type of damage. Appeals of fines or charges will follow procedures outlined in the Judicial Policy of W.C.R.I.

## **Part III: Sign-out Procedure**

Under no circumstances is the VCR to leave Clayfield. Any member has the privilege of signing out the VCR on a first come first served basis. One booking per week is allowed per member. Bookings must be made one week in advance at most. The Social Committee, however, may book the VCR further in advance. The VCR may be signed out for a maximum of 24 hours. Late returns of the VCR will carry a fine as determined by the DM.

# **Division Treasurer Job Description**

(Introduced and Approved by I.D.C. in July 2001)

## **Part I: List of Responsibilities**

The Division Treasurer is responsible for:

1. Collecting the money resulting from all monetary fines.
2. Submitting all collected fines to the WCRI main office.
3. Maintaining accurate records of each Member's fining history (over the Term).
4. Submitting all records and receipts to the Division Manager at end of term.

## **Part II: Fine Collection Procedure**

The Division Treasurer will be passed a fine stub for each warning, work fine and monetary fine issued within the Division. A record of the fining history of each Member who has been fined in a term must be maintained by the Division Treasurer. The status of each monetary fine (Paid or Unpaid) must be recorded.

A Member who has been given a monetary fine must pay the sum levied to the Division Treasurer within the time allotted by the finer. It is recommended that the Division Treasurer make an effort to contact a fined Member a day or two before the fine is due. All fines collected must be submitted to the WCRI main office, in exchange for a receipt.

## **Part III: Dealing with Refusals to Pay**

If a Member fails to pay a monetary fine within the allotted time and cannot be contacted by the Division Treasurer, or refuses to pay a monetary fine outright, the Division Treasurer should fine the member a second time. The amount of this second fine should be equivalent to the amount the member would be fined for a repeat of the original offence. The DM should be notified of the overdue fine. After a second refusal to pay the fine, the Division Council must be notified.

If a Member appeals a fine, it must still be collected within the allotted time. Should the appeal be successful, the Judicial body will see to it that the fine is reimbursed.

## **Part IV: End of Term**

At the end of term, the Division Treasurer must submit all records and fine receipts to the Division Manager. The exact amounts of any unpaid fines must be reported to the WCRI Main Office so that the money can be levied from offending members' performance deposits.

# **Division Secretary Job Description**

(Introduced and Approved by I.D.C. in July 2001)

## **Part I: List of Responsibilities**

The Division Secretary is responsible for:

1. Taking minutes at all Division Council (DC) Meetings, except where the DC closes a meeting to outside observers.
2. Providing a typed copy of the minutes of each meeting to the DC at the next scheduled DC Meeting.
3. Taking minutes at all Division General Meetings, except possibly the first of the term. In the event that another Member is assigned to take notes at the first Division General Meeting, the Secretary is still responsible for preparing a typed copy of the minutes and submitting them to the WCRI Main Office.
4. Submitting the minutes of each meeting to the WCRI Main Office before the end of term
5. Taking minutes at any other meetings occurring in the Division, should the Division Manager or DC Chairperson request them (for example: taking minutes at a Management Meeting).

## **Part II: Requirements for Minutes**

The typed minutes for each DC or Division General Meeting must include:

1. The name of the body meeting (for example: South Division Council Meeting),
2. The date and time of the meeting.
3. The location of the meeting.
4. The name of the chairperson presiding.,
5. The name of the note-taker or recording secretary.
6. The names and positions of all attendees, where the attendance list is not prohibitively long (for example: at a Division General Meeting, "South Management Team and 80-90 South Members" would be sufficient).
7. Each Agenda Item, in a separate section, with its own heading.,
8. All relevant points reported or discussed, in point form.
9. All motions made, including the name of the Member who instigated the motion and the name of the Member who seconded the motion.
10. All votes taken, including the number of members voting for, voting against and abstaining. Note that this does not include informal "straw votes" (for example: a vote to determine the most convenient time to schedule the next DC meeting). An example of the standard format for recording votes is 4-2-0, to indicate 4 votes in favor, 2 votes against and no abstentions. Voters may, if they wish, ask to have their name noted next to their abstention or disapproval.
11. The time at which the meeting was called to order and the time at which it was adjourned.

# **Interim Division Chairperson Policy**

(Introduced and Approved by B-Division D.C. in July 2002)

(Note that, in this policy, the masculine shall include the feminine and the singular shall include the plural)

## **Part I: Selection**

1. Before the distribution of the Division Manager (DM) Final Evaluations, the DC shall appoint a willing member to the position of Interim Division Chairperson for the following term.
2. The Interim Division Chairperson shall be a member of the division for the current term who will also be living in the division for the next term.
3. The Interim Division Chairperson shall be selected from the following list (in order of precedence):
  - a) the current Division Chairperson;
  - b) any current member of DC;
  - c) a member at large.

**Note:** The DC may not appoint either the current or the following term's DM to the position of Interim Division Chairperson.

## **Part II: Credit**

1. The Interim Division Chairperson shall be granted full credit for the term immediately subsequent to their selection.

## **Part III: Duties**

1. Prior to the first division General Meeting of the term, the Interim Division Chairperson shall review the division Constitution and division policies with the DM, emphasizing any recent changes or neglected procedures.
2. At least three (3) days prior to the selection of the first member of Division Council, the Interim Division Chairperson shall post prominently about the division a description and advertisement for all elected positions, including Division Council Representative, Division Chairperson, Judicial, Secretary/Treasure, and all other elected positions at the discretion of the DM's COW system.
3. The Interim Division Chairperson shall be responsible for calling and chairing the first Division General Meeting of the term in accordance with the Constitution. The Interim Division Chairperson is responsible for preparing the agenda of said division General Meeting.

In the event that the Interim Division Chairperson is running for the position of Division Chairperson, the DM shall facilitate the first division General Meeting until the election of Division Chairperson is complete. Regardless of the outcome of the election, the Interim Division Chairperson shall chair the remainder of the meeting.