

The Concordia Greenhouse Constitution

Last amendments made 2015 AGM

1 The Mission

The Concordia Greenhouse is an initiative that uses the Henry F. Hall building rooftop greenhouse as an all-organic space geared towards education, research and community-building. As an educational space, the greenhouse seeks to be an environment for workshops, projects and events that address urban sustainability and food security issues. At the base of the project are principles of mutual respect, promoting equality among project members and the community at large through consensus-based decision making process and co-operative management structure. We aim to affirm and renew our leadership in sustainability and urban agriculture in what we do within the university and in our interactions with external communities.

We strive to promote sustainability within the Concordia-Montreal community by:

- * Serving as a resource center and a demonstration site for urban agricultural techniques and food security initiatives;
- * Acting as a springboard for innovative solutions and research in urban sustainability;
- * Offering workshops on sustainable city living and year-round food production;
- * Supporting a network of urban agricultural organizations throughout Montreal;
- * Linking students to volunteer and job opportunities in the community;
- * Providing a forum where socioeconomic, political and environmental issues relating to food, energy and water can be discussed.

2 Membership

Concordia Greenhouse Members are:

- * Volunteers and interns;
- * Present Staff;
- * Current Concordia Students who have paid student fees towards the Concordia Greenhouse and have not requested a refund;
- * Service users who request membership and are approved by the Collective through the

regular decision-making process.

Members have the right to vote and participate in decision-making at the Concordia Greenhouse's general meetings.

3 The Collective

The Concordia Greenhouse's Collective operates as a semi-autonomous group that is consistent with the mission and policy of the Concordia Greenhouse. Workers are subject to and protected by the Worker Relations section of the constitution. The Collective performs all operational duties including scheduling, staff evaluations and day-to-day tasks associated with the successful administration and execution of the organization, its programming and projects. All hiring must be in line with normal decision-making processes and in compliance with the Board Policy, Hiring Policy, and the Hiring Procedure of this constitution.

The Concordia Greenhouse Collective shall make available 1% of its annual gross operating budget to the Concordia Greenhouse Board to fulfill its mandate. Any adjustment to account for differences between the projected gross annual operating budget, and year-end actual revenues will be made at the end of the fiscal year.

4 Board

3.1 Composition

The Concordia Greenhouse board of directors consists of five (5) to nine (9) unpaid volunteers seated by a General Assembly of the Concordia Greenhouse members, hereafter referred to as seated members. Additionally, the Concordia Greenhouse Workers' collective will have one voting seat on the board, hereafter referred to as representative member. The representative from the Concordia Greenhouse Workers' collective shall be considered as a board member for the purposes of voting and quorum. In cases when board membership is less than the allowed minimum, new members may be appointed by normal decision-making process at a Board meeting where all current board members are present. All candidates who wish to join the board outside a GA need to submit a written candidacy ten (10) days prior to the Board meeting. After the minimum of five (5) board members is met, no more than two (2) board members can be appointed by the board. If at any time the board appointed members of the board comprise 1/2 or more of the seated board a General Assembly must be called to ratify the board within six weeks, or in the event that the seating takes place during summer within eight weeks of the resumption of classes in the fall.

3.2 Board Eligibility Criteria

More than one half of the seated board members must be undergraduate students (persons presently registered for a minimum of one course at Concordia University) at the time of seating. Members may sit on the board for consecutive terms.

3.3 Board Responsibilities and Powers

The board of directors will respect the autonomy of the worker-run project collective with respect to all of the day-to-day operations. The board of directors' responsibilities and powers will be:

- * Setting policy;
- * Acting as arbitrator on disputes within the collective;
- * Ensuring financial viability and the legal and fiscal integrity of the collective;
- * Managing discretionary funds.
- * Ensuring the constitution and organizational mandate are followed;

3.4 Term

Seated board members serve until any of the following:

- * The next Annual General Meeting;
- * They resign in writing to the Board;
- * They miss three (3) regularly scheduled meetings in a row;
- * A motion passed at a General Assembly unseats them.

3.5 Board Meetings

The Board shall have at least one (1) regularly scheduled meeting per month. All board meetings are open to all members and made accessible upon request. The voting body at a Board meeting consists of Board members present at the meeting, and the Collective representative. All members of the Collective who attend a meeting have the same speaking rights as members of the Board, however only the Collective representative can vote at a Board meeting., only one (1) voting right. A quorum of more than half (50% + 1) of the current Board must be present at the time of voting in order for a motion to be carried. In all circumstances, the minimum quorum will be three (3). Voting by proxy is not permitted.

If there is a request for a vote to occur outside of a board meeting, there must be unanimous consent by the board and the collective for this process. In such a case, in order for the motion to be approved, the board must attain unanimity of all its members.

Each board member shall sit as revolving chair of the meeting. The chair may run the meeting as they see fit as long as they follow the normal decision-making process and do not impede the ability of board or collective members to put forward motions, voice their opinions and raise objections.

The board must see to the preparation and distribution of minutes of each meeting which must be publicly accessible at all sites of operation of the Concordia Greenhouse project and will be made available to the collective within seven (7) days of the meeting. These minutes must include the time and place of the next scheduled board meeting.

3.6 Board Policy

The board will create policy to fulfill its mandate and to address issues not addressed in the constitution. The Concordia Greenhouse policy must always be congruent with the constitution and in instances of conflict the constitution always takes precedent. In order for the Board to ratify a policy it must be presented for review to the collective at least 7 days prior to their regularly scheduled meeting and approved by the collective according to normal decision-making process.

3.7 Summer Board Term

During the summer (May 1st - August 30th) board members may be absent and will not be considered in issues of quorum and voting (with the exception of adding new board members).

3.8 Board Election Procedure

All board members running for election at a General Assembly (GA) will be required to make a presentation and answer questions before voting. Each voting member at the GA may cast one vote for each vacant seat on the board, allotting no more than one vote per candidate. Additionally each member may vote to block any candidate who they wish to bar from sitting on the board.

Any candidate who receives votes to block from 1/3 or more of the assembly will be removed from the running. The candidates remaining after the removal of blocked candidates will be seated in order of votes received from most to least until all eligible candidates are seated, or all seats are filled.

Due to issues of board composition (a minimum of students) some candidates may not be eligible to be seated in strict order of the vote of the GA. Candidates will be removed from the list of candidates for any period of the seating in which they do not meet board eligibility requirements.

3.9 Board Conflict Resolution Facilitator

The Board will be responsible to appoint and train a minimum of two (2) Board members to act as Conflict Resolution Facilitators. This person must have knowledge of, training in, and/or experience in anti-oppression. The names of the Conflict Resolution Facilitators (with their current contact information) must be posted on all Concordia Greenhouse message boards and on the website of the Concordia Greenhouse project.

5 Normal Decision Making Process

Decision making by the Concordia Greenhouse board of directors, its project collective and its initiatives, is to operate on the principles of modified consensus wherein each member of the voting body can either stand for or against or abstain on any motion. In this form of modified consensus (consensus minus one) any motion may be voted down on the basis of being voted against by more than one individual. The decision-making body should be conscious of the reasons for any votes against or abstentions and should, when possible, adopt proposals that

are supported by all individuals involved in the decision making process.

For each motion on the floor the group will attempt to modify the motion in order to reach consensus. In the event that modified consensus is not reached due to the group being irreconcilably divided, the motion is not carried and no decision, for or against, is made. The group has not taken a position, which does not implicitly ratify the inverse of the motion. In the event that an agenda item has been discussed over the course of 3 meetings or 45 days (whichever comes first) and no consensus can be reached, the decision-making process can be changed to a 2/3rds majority vote. This is an option to be used only in exceptional circumstances considering that as an organization and by our mandate we are committed to consensus as the decision-making process that best reflects our ideals.

6 Non-Discrimination

There shall be no discrimination or harassment with respect to any worker, member or applicant for employment by reason including but not limited to: age; race; creed; colour; place of origin; ethnic origin; citizenship; language; ancestry; political or religious affiliation; union affiliation; advocacy activities; level of education; gender; gender non-conformity; sex; sexual preference; orientation or identification; marital status; family status; class; place of residence; record of offenses except where it relates to bona fide employment qualifications; Acquired Immune Deficiency Syndrome (AIDS); AIDS related illness; AIDS related complex (ARC); positive Human Immune Deficiency Virus (HIV) test and any other illness or disability so long as it does not significantly impair the performance of the duties of the position; not by reason of the rights contained in this agreement.

No member, worker or applicant for employment shall be required to submit to a lie detector test, blood test or any other test for illness or drug dependency.

Where an applicant is hired under section 14 of this constitution it shall be deemed non-discriminatory.

6.1 Non-Harassment

There shall be no form of harassment exercised or practiced with respect to any worker, member or any applicant seeking to become a worker.

Sexual harassment shall be defined as:

- * Unwanted attention of a sexual nature; or
- * Implied or expressed promise of reward for complying with a sexually oriented request; or
- * Implied or expressed threat of reprisal, actual reprisal or the denial of opportunity for the refusal to comply with a sexually oriented request; or
- * Sexually oriented remarks or behavior that may reasonably be perceived to create a negative working environment.

Gender Harassment and Discrimination shall be defined as offensive comments and/or actions, and/or exclusion from that which a person(s) would otherwise have a right or privilege, which demean and belittle an individual(s) and/or cause personal discomfort, on the basis of sexual or

gender preference, orientation, or identification, but which may not be sexually motivated.

Racial/Ethnic Harassment and Discrimination shall be defined as offensive comments and/or actions, and/or exclusion from that which a person(s) would otherwise have a right or privilege, which demean and belittle an individual(s) and/or cause personal discomfort, on the basis of race, creed, color, place of origin, language, ethnic origin, citizenship and/or ancestry, but which may not be sexually motivated.

7 Worker Relations

7.1 Itinerary of Expectations

After commencing work within the Concordia Greenhouse Collective, workers will have the responsibilities and expectations of their position clearly laid out in the form of a written contract between the worker and the hiring body. Such a contract shall also include a timeframe for work completion and the minimum targets for satisfactory job performance. This Contract shall be written and signed no later than 3 weeks from the worker's first day of work.

7.2 Regular Project Meetings

Workers of the project should be paid to meet regularly with other workers of the project to update each other on the progress of their work, express concerns about their working environment and to encourage communication to further the goals of the project.

7.3 Worker Evaluations

Evaluations will be conducted twice a year, or (given a shorter working span) at the completion of mandated work. Such an evaluation will include reports from all relevant coworkers as well as a self-evaluation. These reports shall focus primarily on performance in relation to stated job expectations as well as information accumulated during the regular meetings. Additionally, evaluations should include recommendations to improve job performance.

The evaluations will be reviewed by the collective and recommendations as well as determination if needed, of continued employment will be made. These evaluations will then be forwarded to the Board.

7.4 Written Warnings

Written warnings can be issued to a worker by the project collective through normal decision-making process. It is appropriate to issue a written warning under the following conditions:

- * Worker shows a habit of lateness;
- * Worker does not perform mandated duties at a satisfactory level;
- * Worker is dishonest and compromises the trust of the project collective;
- * Worker is habitually disruptive to the collective dynamic;
- * Worker breaches the constitution or policy of The Concordia University Greenhouse;

Any written warnings issued should be specific in terms of addressing the grounds for the

written warning and cite specific occurrences that prompted the warning. An accumulation of at least three (3) written warnings within a six (6) month span is grounds for dismissal. No more than one written warning may be issued per week. Additionally, the Board may issue a written warning through the Internal Arbitration Procedure.

7.5 Salaried Workers

Salaried workers are required to meet their contractual obligations. (See section 7.1) Any failure of the workers to meet their contractual obligations should be raised and addressed at the regular project collective meetings. If the situation is not rectified two weeks thereafter the project collective should consider either a) issuing a written warning or b) changing the status of the worker.

The collective should choose the option most appropriate to the situation and individuals involved.

7.6 Dismissal

Collective members may only be dismissed for the following reasons.

- * They receive at least three (3) written warnings within six (6) months;
- * In the case of flagrant acts of harassment or theft, serious breach of trust, or any other serious act that would compromise the ability of the collective to work with the individual. In this situation, in order for the dismissal to take effect, both the collective and the board must vote by consensus minus one. The collective and the board will meet separately, and the meetings will take place at different times. The person in question will be excluded from the vote. *A failing evaluation can act as grounds for dismissal

7.7 Probation period

New workers are hired under probationary terms. Except on matters of employment status, probationary staff will be part of the project collective and participate in all consensus decision-making processes.

A probationary period should last no more than 3 months, after which time the hiring body must make a decision on the permanent status of the worker. During a probationary period a worker may be dismissed following normal decision-making process, without three written warnings.

8 General Assembly

The Concordia Greenhouse will have General Assemblies at which time amendments to the constitution, member review of the organization's goals, and seating of board members will take place.

8.1 Calling a General Assembly

A General Assembly (GA) may be called

* By the Board; or

* By the Worker's Collective: or

* By the presentation of a petition to the Board signed by at least thirty (30) members of Concordia Greenhouse.

In the event of petition or unanimous collective declaration the Board must hold a general assembly within fourteen (14) days of the petition or declaration being handed to a member of the board of directors who is not a collective representative. If the petition or declaration stipulates a time and location that meet GA accessibility requirements, the board is bound to the time, location and agenda stated. Every agenda must include an item entitled "other business" under which members may put forward motions.

8.2 Annual General Meetings

An Annual General Meeting (AGM) must be held every year between October 1st and November 30th . The AGA must be scheduled on a day in which there are regularly scheduled classes. The AGA differs from other GA only in that it must be held once a year during the specified period and that the board is automatically unseated when the meeting is called to order.

8.3 General Assembly Proceedings

The voting body of a General Assembly consists of all the Concordia Greenhouse Members present at the meeting.

The GA quorum is thirty (30) Concordia Greenhouse members. All decisions of the Concordia Greenhouse GA are made at 2/3 majority, and the chair will refer to Robert's Rules of Order in case of any misunderstanding, clarification and need of direction.

9 Amendments

Only a Concordia Greenhouse General Assembly has the authority to amend the constitution. A 2/3 majority at a General Assembly may amend the Constitution, provided that the exact text of the amendment was made available to the public, posted at all sites of operation for the Concordia Greenhouse and was delivered to the Collective and Board no less than ten (10) days prior to the GM or AGM. To facilitate this process a small amendment to the Constitution (typo, choice of word, syntax), in the spirit of the original, can be voted upon at the GA without being posted prior to the assembly.

10 Financial Considerations

10.1 Credit

In order to secure the financial integrity of the Concordia Greenhouse, the collective shall not be permitted to have lines of credit beyond its current cash holdings without board approval. In special circumstances the board may allow the collective to carry a line of credit beyond its holdings. These exceptions should be specific and well defined (length of terms, quantity etc.)

The board should be reasonably certain that the project collective will have the means to repay the line of credit in full within the defined length of term.

10.2 Financial Autonomy

The collective will prepare a budget for their operations at the beginning of each fiscal year. The board of directors must approve this budget. The authority to amend the budget rests solely with the collective. The collective's annual budget is public information.

The collective is responsible to provide financial information to the board of directors within two weeks of an explicit request made at a board meeting that states which information is desired. The Board has the right at any time to access the financial documents of the project collective by remunerating the collective for the staff support required to maintain the security of the documents. The board can pass a motion to use its allotment of the collective's resources to this end.

10.3 Remuneration

The Concordia Greenhouse strives to pay all workers a livable wage. In view of this, the Concordia Greenhouse Workers' collective sets its own workers wage, according to various reference points including but not limited to the federal and provincial indexes and other organizations on campus and in Montreal, and this wage must be approved by the board.

10.4 Financial Reports

The Concordia Greenhouse will commence its fiscal year, annually, on the 1st of September. Within 30 days of the completion of a fiscal year, a financial report will be produced by the collective, available for public review and made accessible on all greenhouse message boards and on the website of the Concordia Greenhouse project.

11 Internal Mediation and Arbitration Procedure

In the event of a dispute within the collective or between collective members, or members, a complainant may make a request for mediation or arbitration to the Conflict Resolution Facilitator (or another Board member).

At the Board meeting immediately following the request for mediation or arbitration, the Board will form an Arbitration Committee which is to consist of the seated members of the Board (excluding any Board members named in the complaint).

The Board is required to have an internal arbitration procedure that will be made available on all greenhouse message boards and on the website of the Concordia Greenhouse project. Additionally, notification of this policy with current contact information for the Conflict Resolution Facilitators will be posted on all greenhouse message boards and on the website of the Concordia Greenhouse project.

12 External Arbitration Procedure

In the event of a dispute between the board or the collective and an external person, or in the event that the board of directors has a dispute with the collective, the board or collective will

accept any request for arbitration following this procedure.

12.1 Arbiter List

The Concordia Greenhouse will have a list of organizations that provide arbitration services. This list will be updated and ratified each year at the Annual General Meeting.

12.2 Arbitration Council

An arbitration council of three arbiters will conduct the arbitration. The three arbiters will evaluate the dispute and present their findings within ten (10) weeks of the neutral arbiter being engaged. Their final decision will be agreed upon by majority rule.

12.3 Selection of Arbiters

Each party shall select an arbiter to represent them. Both parties have one week from the bringing of the complaint to agree on a neutral arbiter. In the event that no agreement is reached by the end of the week an arbiter from the Arbiter List will be engaged by the board.

The cost of the arbiters will be evaluated by the board, and if possible shared proportionally in a fair manner according to the party's annual gross budgets.

13 Hiring Procedures

The Concordia Greenhouse seeks to be a place of employment for highly self-motivated individuals passionate about urban agriculture and food security. We recognize that urban agriculture in Montreal is still young, and so seek to optimize on skill development by hiring based on a person's willingness to dive into their work with their whole heart. In accordance with other socially conscious groups on campus, we strongly believe that people from all walks of life have the potential for what it takes to be a leader in urban agriculture at Concordia, regardless of race, gender and/or gender identity, or physical challenge. We seek to provide employment to any and all that can face the challenges and determination needed. As a result, we strive to give equal opportunity to everyone by making sure that all advertising and publicity for positions and opportunities within the organization shall be: * Distributed to communities and organizations in the Montreal area in solidarity with the mandate of The Concordia Greenhouse * Widely distributed amongst the general public (a minimum of 20 posters placed around campus, and 20 outside; ads must also be placed in alternative and campus media of the hiring body's choice; * Distributed a minimum of three (3) weeks prior to the closing of the posting; * Distributed in all ways for an equal amount of time; and * Posted at a time that considers the dates of religious and cultural observances.

13.1 Hiring Committee

The hiring committee, formed by a collective member and at least another member, will be created before any review of resumé occurs and will conclude once hiring is complete. The hiring committee will make the final hiring decision based on Normal Decision-Making Process. (See Section 5)

13.2 Confidentiality

Any and all personal information about the applicants obtained by any means, including but not

limited to: resumés, cover letters, interviews, or any other parts of the hiring procedure will remain confidential to the members of the hiring committee only.

Confidentiality will remain at all times, including after the hiring has been completed.

13.3 Board Involvement

The Board is expected to send a delegate to sit on all hiring committees. The Board Delegate will have full voting rights. In the case of the board's inability to appoint a member to sit on a hiring committee, the collective may appoint a replacement of its choice within the Concordia Greenhouse membership (collective members, interns or volunteers). If no board member was involved on the hiring committee, the hiring must be presented to the Board for review and approval at the next regularly scheduled Board meeting. The Board may also vote on the hiring over e-mail before the next meeting, if it deems it necessary.

14 Emergency Hiring

In an emergency situation the workers' collective can hire a worker with any procedure they choose and defined at a regular Concordia Greenhouse workers' collective meeting. This procedure should be seen as an emergency situation only and should also keep in mind the regular hiring policy. This hiring must be presented to the Board for review and approval at the next regularly scheduled Board meeting.

Under no circumstances should more than 1/4 of total staff be hired under emergency hiring process.