



YORK UNIVERSITY
BOARD OF GOVERNORS

Nomination Package
Non-Academic Employee Election

May 2023

University Secretariat
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CONTENTS

Call for Nominations.....	1
Protocol for the Nomination of Non-Academic Employees to the York University Board of Governors.....	2
Election Timetable	3
Election Procedures.....	4
Policy, Procedures and Guidelines on Conflict of Interest for Members of the Board of Governors	5
Article VII of the General By-Laws of the Board: Membership	8
Nomination Form	9
Acknowledgement and Confirmation	11



BOARD OF GOVERNORS CALL FOR NOMINATIONS NON-ACADEMIC EMPLOYEES

Notice is hereby given that an election will be held to nominate a full-time non-academic employee to a position on the Board of Governors.

THE BOARD OF GOVERNORS

The Board of Governors consists of 30 members, the President and the Chancellor. The Board membership includes two members nominated by Senate; two student members nominated by students, two non-academic employee members nominated by this process, and two alumni members nominated by the alumni board. The remaining Board members are appointed from the external community and reflect a broad range of backgrounds and expertise. The Board conducts its work through a number of standing committees. The Board meets at least five times each year.

ELIGIBILITY AND MEMBERSHIP REQUIREMENTS

Nominations are invited of non-academic employees who are appointed and working in full-time positions at the University as defined by the YUSA (Unit 1), CUPE (Local 1356 and 1356-1) and IUOE collective agreements, and the CPM employment framework. Nominees must also have a record of at least five years of service as a full-time non-academic employee at the University. Employees who are members of a certified bargaining unit or employee association may not serve as an officer or other official of their bargaining agent or employee association during their term on the Board of Governors. All members of the Board of Governors are required to sign a conflict of interest and confidentiality undertaking and to abide by the Board's Policy on Conflict of Interest. **The term of office is two years, beginning on July 1, 2023.**

NOMINATION PROCESS

Nominations must be supported by the signatures of ten nominators who are also full-time non-academic employees. Because a special majority (two-thirds) of the members of the Board of Governors must be Canadian citizens, candidates are required to submit proof of citizenship. **Nominations open at 9:00 am Wednesday 10 May 2023 and will close at 12:00 noon on Wednesday 24 May 2023** by which time all complete nominations (to include nomination form, signatures of 10 nominators, proof of citizenship, photo and statement of intent) must be received by the University Secretariat via email to Elaine MacRae at emacrae@yorku.ca. **No late or incomplete forms will be accepted.**

BALLOTING PROCEDURES

Balloting will be conducted by e-vote (evote.yorku.ca). Voting will open at **1:00 pm on Monday 5 June 2023** and close at **5:00 pm on Friday June 9, 2023.**

DOCUMENTATION AND ADDITIONAL INFORMATION

For nomination forms and further information about the Board and the staff nominations process, please go to: <https://www.yorku.ca/secretariat/board-of-governors/nominations-to-the-board-of-governors/>

Pascal Robichaud, Secretary of the University, 1050 Kaneff Tower/416-736-2100, ext. 33905

Protocol for the Nomination of Non-Academic Employees to the York University Board of Governors ¹

Number of non-academic staff seats on the Board: Two

Term: Staggered 2-year terms. Term concludes if employment ends or if disqualified by by-law.

Eligible Candidates: All full time non-academic employees of the University who have a record of service of 5 years or more with the University at the time of nomination. Nominees who are members of a certified trade union or employee association representing York employees should be aware that they shall not be eligible to serve as a governor while they are actively serving as an officer or other official of their union or employee association.

Protocol: All persons who are full-time non-academic staff members of York University with 5 years or more of University service as of the date of nomination, are eligible to stand for nomination.

Nominations shall be received by the Executive Committee of the Board of Governors serving as the nominating committee, for governors who are members of the University's full-time non-academic staff. These nominees shall be chosen as a result of an election at large by the full-time non-academic staff members of the University. The candidate receiving the most votes in the election shall serve a two-year term.

The elections shall be held each spring, prior to May 31, at a date set by the University Secretary, and will be administered by the University Secretariat under the direction of the Board Executive Committee. Nominations will be called for one month before the date set for the election and shall be open for two weeks. In order for a name to be placed on the ballot, nominations shall be supported by the signatures of 10 nominators, all of whom shall themselves be members of the full-time non-academic staff. The names of the nominees will be published on the University Secretariat's web site and in the Y-File. Election will be by mailed ballot, sent to every full-time staff member at their University address. The candidate receiving the most votes will be nominated for appointment to the Board of Governors. Full-time non-academic staff members are eligible for re-appointment to the Board of Governors in accordance with the General By-laws of the Board, but subject to their being re-nominated by election as is set out above.

¹ Article VII of the General By-laws of the Board specify that "Two members of the full-time non-academic staff of York University shall be appointed or elected to be members of the Board under nomination and election/appointment procedures to be determined and administered by the Board Executive Committee". This Protocol was originally adopted by the Executive Committee on March 30, 1999, and reported to the Board on April 12, 1999, and subsequently amended in March 2000.

York University

2023 Election for a Non-Academic Employee Member on the Board of

Governors

Timetable

Wednesday 10 May 2023	Nominations Open For 2 weeks. Forms available at: http://secretariat.info.yorku.ca/board-of-governors/nominations-to-the-board-of-governors/
Wednesday 24 May 2023	Nominations Close at 12:00 noon Note: All completed nomination forms, accompanied by proof of citizenship, candidate statements and candidate photographs, must be <i>received</i> no later than 12:00 noon on May 24, 2023 by the University Secretariat, submitted via email to Elaine MacRae , emacrae@yorku.ca . Nomination forms will not be accepted after 12:00 noon on this date. Candidates' eligibility will be determined after the close of nominations.
Monday 5 June 2023	Campaign Ends at 12:00 noon
Monday 5 June 2023	Voting begins by e-vote at 1:00 pm
Friday 9 June 2023	Voting ends at 5:00 pm Votes will be tallied

York University
Election for a Non-Academic Employee Position on the Board of Governors

Election Procedures

1. The Secretariat will be responsible, under the general supervision of the Board's Governance and Human Resources Committee, for conducting the election and for making rulings on procedural issues if they arise. The Secretariat will publicize the election, by publishing appropriate notices on the Secretariat website; by communicating with employees through e-mail, listservs and Y-File.
2. To be eligible to be nominated, individuals must be full-time non-academic employees who have a record of at least five years of service at the University. To be eligible to nominate someone, individuals must be full-time non-academic employees of the University. To be eligible to vote in the election, individuals must be full-time non-academic employees of the University.
3. The Nomination Form will require the signatures of ten nominators, as well as the signature of the person being nominated (to confirm his or her willingness to be nominated and to confirm his or her agreement to abide by the eligibility requirements both as a candidate and if subsequently elected). The nomination form must be accompanied by evidence of citizenship of the nominee (photocopy only of one of the following examples: birth certificate; citizenship certificate; naturalization certificate; valid passport; or another acceptable form of evidence). Candidates are also required to submit with the nomination form (a) a candidate's personal statement of up to 150 words in length, (b) a passport-size photo of the candidate and (c) signed Acknowledgment and Confirmation. Names of nominees are not confidential at any time after being submitted. Candidates may withdraw at any time up to the close of business on the day specified as the deadline for receiving nominations.
4. The University Secretariat will verify with the Human Resources office the eligibility of all nominees (i.e., that they are and have been full-time non-academic employees for five years) and the eligibility of all nominators (i.e., that they are full-time non-academic employees). The Secretariat may also contact the nominee, and may contact the nominators. The onus for submitting a valid and complete nomination form with accompanying documentation rests with the nominee. **Material received after the specified nomination deadline will not be accepted.**
5. When campaigning, candidates must take special care to ensure that their actions do not result in pressure or perceived pressure for non-academic staff to vote for them. This can be a particular concern when candidates are in a position of authority or their supporters are in a position of authority.
6. Voting will be conducted by e-vote.

Policy, Procedures and Guidelines on Conflict of Interest for Members of the Board of Governors

Adopted by the Board at its meeting on April 16, 2001

Policy

A conflict of interest exists when there is a disjuncture between a governor's personal interests, financial or otherwise, or a governor's professional interests, and his or her fiduciary obligations to the University. A conflict of interest situation affects not only a governor but also all of his or her non-arm's length relationships, including but not limited to immediate family members and persons with whom there exists, or has recently existed, a close personal relationship.

Governors shall make full, timely and ongoing disclosure of a conflict of interest or potential conflict of interest in accordance with the General Bylaws and other procedures established from time to time by the Executive Committee of the Board.

They may, in accordance with such procedures, refrain or be asked to refrain from participating in discussions and/or decisions concerning any business that is related to the matter in which there is a conflict of interest.

Procedures

1. A governor shall make written disclosure of a conflict of interest situation, whether actual or potential, to the Secretary of the Board of Governors.
2. Upon receipt of a disclosure, the Secretary shall convoke a committee, comprised of the Chair of the Board of Governors or designate, the Chair of the Board Audit Committee and the Secretary, to consider the matter. The committee shall determine what, if any, action should be taken by the governor or by the Board, in order to deal with the matter.
3. Article VII (8) of the General Bylaw of the Board of Governors concerning declaration of interest in transactions shall continue to govern those matters referred to therein.
4. Governors shall execute the Acknowledgment and Undertaking, attached as Appendix A, prior to taking their seat on the Board.

Guidelines on Conflicts of Interest

The following examples are illustrative of situations that should be disclosed.

1. Entering into a business or other contract/transaction on behalf of the University with a company or firm in which a governor, or related persons, has a financial interest.
2. Influencing the purchase of equipment, materials or services for the University from a company or firm in which a governor, or related persons, has financial interest.
3. Accepting gifts, benefits or favours from individuals or firms with which the University does business, except as token courtesies.
4. Directing students or staff of the University to carry out work for a company or firm in which a governor has a financial interest.
5. Using the University's resources or facilities for a governor's personal benefit or the benefit of related persons.
6. Using the position as governor to obtain employment with the University.
7. Participating in the appointment, hiring, promotion or evaluation of a related person.
8. Using the position of governor to serve the interests of an elected or appointed office held by the governor.

**YORK UNIVERSITY
BOARD OF GOVERNORS**

**ACKNOWLEDGMENT AND
UNDERTAKING OF CONFIDENTIALITY ²**

I acknowledge that as a member of the Board of Governors of York University, I am a fiduciary with respect to the business and affairs of the University. As a fiduciary, I must adhere to the highest level of conduct in carrying out my duties and responsibilities as a Governor, which include the obligation to act honestly, in good faith and in the best interests of the University and to avoid conflicts of interest. I undertake to keep in strictest confidence all confidential or proprietary information communicated or disclosed to me as a member of the Board of Governors.

Dated at Toronto, Ontario this _____ day of _____, 20__.

² Required to be signed by all members of the Board of Governors by resolution adopted on June 24, 1998.

Article VII of the General By-laws of the Board of Governors: Membership on the Board

(1) Composition of the Board

The Board shall consist of the following categories and numbers of members:

(a) *Ex-officio*: The Chancellor and the President shall be *ex-officio* members of the Board.

(b) Internal Members - There shall be a total of six internal members of the Board who shall be appointed or elected as follows:

- (i) Two members of the Senate shall be appointed or elected by the Senate to be members of the Board. One such member shall hold office initially for one year and the other for two years and thereafter one member shall be appointed or elected by the Senate each year to serve as an internal member for a term of two years from the date of such election or appointment.
- (ii) Two students of York University shall be appointed or elected by the Student Senator Caucus to be members of the Board, and members of the Student Senator Caucus shall not be disqualified from being so appointed or elected. One such member shall hold office initially for one year and the other for two years and thereafter one member shall be appointed or elected each year by the Student Senator Caucus to serve as an internal member for a term of two years from the date of such election or appointment.
- (iii) Two members of the full-time non-academic staff of York University shall be appointed or elected to be members of the Board under nomination and election/appointment procedures to be determined and administered by the Board Executive Committee.

(c) External Members: There shall be up to twenty-four external members of the Board as follows:

- (i) Two members of the York University Alumni Association shall be appointed or elected by the Council of York University Alumni to be members of the Board. Members shall be appointed or elected every two years by such Council to serve for a term of four years from the date of such election or appointment.
- (ii) Twenty-two persons proposed by the Nominations and Governance Committee of the Board and elected by a majority of the members of the Board at a meeting for which notice of intention to elect members has been given to the Board shall be members of the Board.

The Governance and Human Resources Committee will have the responsibility of proposing candidates for election to the Board as external members who will best serve the needs and interests of the University and who broadly represent the public community. Without limiting the generality of the foregoing such candidates shall be reflective of the Arts, Business, Industry, Labour, Professions, Sciences and the community at large.

(d) Honorary Members: ...

(2) Citizenship

A special majority (two-thirds) of the members of the Board of Governors shall be Canadian citizens.

(3) *Vacancies*

(i) Should a vacancy arise on the Board in the category of internal members of the Board as defined in paragraph 1(b) above, the authorized body thereunder shall appoint a person to fill such vacancy for the unexpired term of the internal member of the Board who vacated that position.

(ii) All other vacancies in the Board, whether caused by resignations, death, or otherwise, shall be filled by the vote of a majority of the members of the Board present at a meeting for which notice for such intention to elect members shall have been given. A person thus elected to fill any vacancy shall hold office for the unexpired term of his/her predecessor, and until his/her successor is elected.

(4) *Length and Rotation of Terms*

(i) External members shall be appointed to a term of membership of four years;

(ii) Notwithstanding sub-section (i) above, an external member may be appointed to a term of fewer than four years in order to provide for greater continuity on the membership of the Board.

(5) *Limit on Reappointment to Membership*

The Board may reappoint a member to successive terms of membership; however, continuous membership shall not exceed a total of 12 years, except in the case of the Chair where section 8 of the York University Act shall take precedence.

(6) *Officers*

The Board shall elect the Chair and Vice-Chair from among its external members.

(i) The Chair of the Board shall, when present, preside at all meetings of the Board, shall sign such documents as may require his/her signature in accordance with the By-Laws or otherwise, and shall also perform such other duties as may be from time to time assigned to him/her by the Board.

(ii) The Vice-Chair shall perform all the duties of the Chair when the latter is unable by reason of absence or other cause to perform such duties and shall also have such other powers and duties, if any, as may be assigned from time to time to him/her by the Board.

(iii) [Acting Chair] In the absence of both the Chair and Vice-Chair, the members present shall appoint one of their number as Acting Chair to preside at the meeting and he/she shall exercise the powers of the Chair for the designated meeting.

(7) *Disqualification of Members*

(i) The office of a member of the Board shall be vacated and it shall be the duty of the Board, by resolution, to declare his/her membership vacant:

(a) if he/she becomes bankrupt or makes an authorized assignment or is declared insolvent;

(b) if he/she becomes mentally ill or otherwise incapable of acting as a member;

(c) if by notice in writing to the Board he/she resigns his/her office; *or*

(d) ordinarily on the July 1st coincident with or next following the member's attainment of the age of 75 years;

- (ii) The office of an internal member of the Board shall be vacated and it shall be the duty of the Board, by resolution, to declare his/her membership vacant if such internal member ceases to be a member of the body that appointed or elected him/her; and
- (iii) If, after 30 days notice to such member, by resolution passed by at least two-thirds of the votes cast at a meeting of the Board, the seat of such member is declared vacant.

(8) Confidentiality and Conflict of Interest

Prior to taking up his or her seat on the Board of Governors, each member of the Board shall sign an Undertaking of Confidentiality and Conflict of Interest in the form approved by Board resolution from time to time. A general notice that a Governor is a member of any specified partnership, firm, company or corporation and thereby may be regarded as interested in any subsequent transaction with such partnership, firm, company or corporation, shall be sufficient disclosure where the interest of the Governor is nominal or consists of the holding of a qualifying share or shares, and after such general notice, it shall not be necessary to give any special notice relating to any particular transaction with such partnership, firm, company or corporation, but any such Governor shall refrain from voting upon any motion respecting any transaction with such partnership, firm, company or corporation. No declaration of interest need be made by any Governor or need any Governor refrain from voting on any contract:

- (a) or on behalf of the University to give to any of the Governors security by way of indemnity, or
- (b) between the University and any company where the interest of such Governor in such company consists solely in his/her being an officer or director of such company if he/she is the holder of not more than the number of shares in such company as may be requisite to qualify him/her to be a director thereof where the contract is in the ordinary course of business and is let by tender.

(9) Indemnification

The University hereby agrees that every Governor and officer of the University shall be deemed to have assumed office on the express understanding, agreement and condition that every Governor and officer of the University and his/her heirs, executors and administrators and estate and effects respectively, shall, from time to time and at all times, be indemnified and saved harmless out of the funds of the University from and against:

- (a) all costs, charges and expenses whatsoever which such Governor or officer sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against him/her, for or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by him/her, in or about the execution of the duties of his/her office; and
- (b) all other costs, charges and expenses that he/she sustains or incurs in or about or in relation to the affairs thereof; except such costs, charges or expenses as are occasioned by his/her own willful neglect or default.

**Board of Governors
Election Non-Academic Employees
Nomination Form - 2023**

PART A - NOMINEE

Name of Nominee: _____

(Note: Please print name as you would like it to appear on the ballot)

University Department/Division _____

Position Title: _____

Campus Mailing Address: _____

Business Phone: _____ E-mail: _____

Home Address: _____

Home Phone: _____

Please check off the following statements:

A photocopy of proof of my citizenship is attached

Signed Acknowledgment and Confirmation is attached

I have been a full-time non-academic employee at York University for at least 5 years as of May 10, 2023.

I have sent a passport-size photograph of myself (photo should be sent electronically to: emacrae@yorku.ca) and agree that it may be circulated with the ballot to all voters and mounted on the University Secretariat website.

I have attached a personal statement (**maximum 150 words**) and agree that it may be circulated with the ballot to all voters and mounted on the University Secretariat website.

PART B - NOMINATORS

Note: Each nomination must be supported by **ten nominators** who are **full-time non-academic employees** of York University. Nominators may be called by the Secretariat to verify their signatures.

“I agree to nominate _____ as a member of the Board of Governors.”

Please print clearly

1. Name: _____ Signature: _____

Department: _____ Phone: _____

2. Name: _____ Signature: _____

Department: _____ Phone: _____

3. Name: _____ Signature: _____

Department: _____ Phone: _____

4. Name: _____ Signature: _____

Department: _____ Phone: _____

5. Name: _____ Signature: _____

Department: _____ Phone: _____

6. Name: _____ Signature: _____

Department: _____ Phone: _____

7. Name: _____ Signature: _____

Department: _____ Phone: _____

8. Name: _____ Signature: _____

Department: _____ Phone: _____

9. Name: _____ Signature: _____

Department: _____ Phone: _____

10. Name: _____ Signature: _____

Department: _____ Phone: _____

Acknowledgement and Confirmation

I hereby acknowledge and confirm the following:

- 1) As a governor, I do not represent a particular constituency, but rather must act in the interest of the University as a whole. I appreciate and accept the dedication and commitment required for Board members, and the high level of confidentiality concerning some Board documents and deliberations.
- 2) I understand the high level of confidentiality concerning some Board documents and deliberations and commit to maintaining that confidentiality. I understand that failure to do so could lead to disciplinary action up to and including expulsion.
- 3) I confirm that I will abide by the campaign regulations and standards during the election and will take all reasonable steps to ensure my supporters abide by the same standards.
- 4) I recognize the importance of conducting myself with the utmost integrity during the election and, if appointed, in performing the duties of a governor.

Signed this _____ day of _____, 2023

Signature

Name (PLEASE PRINT)