

# U3A IPSWICH AND WEST MORETON INCORPORATED

## By Law Number 1

### Made by the Management Committee under the Constitution Rule 18.

#### Membership of management committee by-law

1. The management committee shall consist of ten members.
2. As soon as possible after the election of the management committee, the management committee will:
  - a) appoint one of its number as vice president;
  - b) appoint a secretary if one has not been elected under rule 15(1)(a) of the constitution;
  - c) allocate such portfolios to members of the management committee as are expedient or necessary for the efficient operation of the association;
  - d) appoint such chairmanship of subcommittees of the management committee as are expedient or necessary for the efficient operation of the association;
  - e) confirm the membership of each subcommittee of the management committee;
  - f) notify each appropriate authority that must be notified, of any change to the composition of the management committee;
  - g) form an executive committee consisting of the president, the vice president, and the treasurer and if the secretary has been elected under rule 15(1)(a) of the constitution, the secretary.
3. The executive committee may meet at such times, in such places and with such further members of the association as the chairperson of the executive committee deems necessary or convenient to deal with any urgent matter that cannot be deferred until the next scheduled meeting of the management committee.
4. The executive committee shall report all of its proceedings to the next meeting of the management committee.

## **By Law Number 2**

### **Made by the Management Committee under the Constitution Rule 19.**

#### **Electing the management committee by-law**

1. The management committee, at least three months prior to the annual general meeting shall, in a written notice to the members of the association, call for nominations for the positions of president, secretary, treasurer and sufficient numbers of members to take the membership of the management committee to the total number of members determined by the management committee under by law number 1, clause 1.
2. The notice required by clause 1 of this by law shall contain a notice to satisfy the constitution rule 19(5).
3. A member of the association may nominate for each of the positions of president, secretary, treasurer and as a member of the management committee.
4. A member of the management committee who has held a position on the executive committee for three years in succession (including any year in which that member was appointed to a casual vacancy on the executive committee) shall not be eligible to nominate or accept a position on the executive committee.
5. A member of the association who has been a member of the management committee for five years in succession shall not be eligible to nominate for a position on the management committee.
6. Clause 5 of this by law applies to the member of the association for any election that would cause the member to take any office on the management committee within a period of five years from the termination of the previous period of service on the management committee.
7. Clauses 4, 5 and 6 of this by law shall not apply if rule 19(1)(d) of the constitution applies.
8. If a member of the association resigns from the management committee the year during which the resignation takes effect will be deemed to have ended at the next annual general meeting for the purposes of clause 6 of this bylaw.
9. Each candidate for election to the management committee shall certify on the nomination form for election to the management committee that he or she satisfies the requirements of the constitution rule 19(2).
10. Unless a poll is demanded, at the annual general meeting the meeting the members of the association shall vote in the following order:
  - a) The first vote taken shall be for that of president of the association;
  - b) If nominations have been received for the position of secretary, the second vote will be for the position of secretary of the association;
  - c) If nominations have been received for the position of treasurer, the third vote will be for the position of treasurer of the association;

- d) Members of the association present at the annual general meeting will then be asked for a show of hands as to the desirability of electing each member who has nominated for a position on the management committee to the management committee. The consideration of each candidate shall take place in the alphabetical order of candidates as the list of candidates has been displayed in accordance with the constitution rule 19(3) and displayed at the annual general meeting.
11. If a member of the association has been elected to a position on the management committee, the chairperson conducting the election shall not put that candidate to the annual general meeting as a candidate for any further position on the management committee.
12. If a poll is demanded:
- a) A ballot paper shall be distributed to each person present at the annual general meeting, whether personally or by proxy;
  - b) The ballot paper shall contain, in the order of the notice that has been displayed under the constitution rule 19(3), the names of all candidates for all the positions for which the candidate has been duly nominated in accordance with the constitution rule 19(1)(a) and 19(1)(b).
  - c) Two persons of known integrity shall be appointed as scrutineers to count the votes as cast by the ballot.
  - d) The scrutineers shall report to the chairperson who is conducting the election, all the votes cast in favour of all the candidates for election in all positions for which a candidate has been nominated.
  - e) The chairperson conducting the election shall announce as elected, in order, the president, if nominations have been received for secretary the secretary, the treasurer and the number of persons required to be elected to the management committee to the total number of members determined by the management committee under by law number 1, clause 1.
  - f) Once the chairperson conducting the election has declared a member of the association elected to any position, the chairperson conducting the election shall not declare that person elected to any further position on the management committee in that election, and for that purpose of that election shall declare positions on the management committee filled as if the members elected had not nominated for any further position for the management committee.
  - g) On a poll a member present may cast only one vote for the position of president, if there are nominations for secretary one vote for secretary, one vote for treasurer, and the number of votes for members of the management committee as are members required to add to the total number of members determined by the management committee under by law number 1, clause 1.
  - h) The scrutineers shall declare invalid a ballot for any position that contains any excess of votes for that position, but the ballot paper shall remain valid for all other positions where the votes are not in excess of the votes required. A ballot paper shall not be invalid if, in voting for any position, it casts less votes than the maximum number allowed.

## **By Law Number 3**

### **Made by the Management Committee under the Constitution Rule 22.**

#### **Administration by-law**

1. The secretary shall conduct all administration of the association.
2. The secretary is responsible for the effective and efficient administration of the association.

## **By Law Number 4**

### **Made by the Management Committee under the Constitution Rule 22.**

#### **Fair treatment by-law<sup>1</sup>**

##### **Principle**

1. The association is committed to fair and equitable treatment for every employee by offering a prompt and effective grievance resolution procedure.

##### **Purpose**

2. A supportive employee-management relationship is maintained by taking appropriate action to mutually resolve problems. Both the employee and the association benefit from open communications that foster a harmonious working environment.

##### **Policy Statement**

3. Employees who have a problem are encouraged to discuss the matter with their immediate Supervisor or a member of the Human Resources Department. An employee may request assistance from another employee in the preparation and presentation of the problem.
4. Employees are entitled to a prompt resolution of problems. Every effort will be made to keep the process from disrupting a department's operations and all information required to resolve a problem will be gathered as quickly and confidentially as possible.
5. The use of this "**Fair Treatment By Law**" will not in any way prejudice an employee's position in the association either at the time of the complaint or in the future.

##### **Procedure**

6. Employees who have a problem or grievance that has not been resolved to their satisfaction are encouraged to initiate the following procedure:
  1. If an employee feels it is inappropriate to discuss the problem with the immediate Supervisor, the matter may be referred directly to the next level Supervisor or to a member of the Human Resources Department.

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<sup>1</sup> See <http://www.austlii.edu.au/au/cases/cth/FMCA/2009/1.html> for validity

2. If the matter is still unresolved after the initial discussion, employees have the opportunity to forward details in writing to the next line of authority and to make subsequent referrals to higher levels if necessary.
3. If this process does not resolve the matter, employees may put the matter to the management committee for a final decision.
4. Normally the first three steps are completed in 10 weeks or as otherwise agreed.
7. Where the procedure does not resolve the question in dispute, either the association or the employee has the right to refer the question or dispute to arbitration by an Arbitrator. The Arbitrator will be an appointed Justice of the Peace as mutually agreed between the association and employee. Where the parties fail to reach agreement, the arbitrator may be an Alternative Disputes Registered Organisation or applicable Industrial Relations Commission.

**By Law Number 5**  
**Made by the Management Committee under the Constitution**  
**Rule 23.**

**Management committee by-law**

1. Members of the management committee shall meet monthly at 10am on a day specified at the premises of the association, December excepted.
2. Members of the management committee shall notify the secretary of their preferred method of communication and a communication by that method shall be deemed good notice of any special meeting of the management committee.
3. If a motion is cast in the negative, for the purpose of clause 23(7) of the constitution, the rule of grammar that says that a double negative is a positive, does not apply.
4. If the president is not present within 10 minutes of the due time for the holding of a management committee meeting, or fails to act, or is unwilling to act, the vice president shall chair the meeting.
5. If both the president and the vice president are not present within 10 minutes of the due time for the holding of a management committee meeting, or fail to act, or re unwilling to act, the management committee shall make a further choice of one of their number to chair the meeting or adjourn the meeting or cancel the meeting.

## **By Law Number 6**

### **Made by the Management Committee under the Constitution Rule 22.**

#### **Management committee to control activities by-law**

1. No activity shall be carried out in the name of the association without the permission of the management committee.
2. Any approval required under rule number 1 of this by-law shall be sought from the management committee and that approval must be given before any activity is commenced.
3. The management committee shall not give approval for an activity under rule 1 of this by-law if the activity cannot, in the absolute discretion of the management committee, be classified as a secular and non party political activity.

## **By Law Number 7**

### **Made by the Management Committee under the Constitution Rule 22.**

#### **Payment of Reward for Service by-law**

As the association is a voluntary organisation, the payment of wages or salary, whether in cash or kind, for service or services rendered is forbidden unless such payment is made to a bona fide tradesman for services rendered.

## **By Law Number 8**

### **Made by the Management Committee under the Constitution Rule 27.**

#### **Sub-committee of management committee by-law**

1. If the management committee appoint a sub-committee of one under rule 27 of the constitution, that member is deemed, under rule 27(3) to have been elected chairperson of that subcommittee.
2. The management committee may increase the size of a subcommittee as is expedient or necessary.

## **By Law Number 9**

### **Made by the Management Committee under the Constitution Rule 34.**

#### **Class of association by-law**

1. The management committee notes that as its annual income is less than \$20,000, and it does not operate poker machines, it is a level 3 incorporated association.

**By Law Number 10**

**Made by the Management Committee under the Constitution  
Rule 44.**

**Secretary-custody of common seal by-law**

1. The secretary is to have custody of the common seal.

## **By Law Number 11**

### **Made by the Management Committee under the Constitution Rule 47.**

#### **Custody of records by-law**

1. The treasurer shall have the custody of all documents relating to the financial records of the association.
2. The secretary of the management committee shall have custody of all documents not in the custody of the treasurer.

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