



By-Law #5: Executive

15 November 2015

USC Council

PURPOSE:

A by-law to govern the duties and responsibilities of the President, Vice-President and Vice-President External.

1.00 DEFINITIONS AND INTERPRETATION

1.01 Definitions

In this By-Law and all other By-Laws and resolutions of the Corporation, unless otherwise stated or the context requires otherwise:

- (1) **"Act"** means the Corporations Act, R.S.O. 1990, c. C.38, as amended from time to time, and every statute that may be substituted for it and, in the case of such substitution, any references in the By-Law to provisions of the Act shall be read as references to the substituted provision in the new statute;
- (2) **"Executive"** means the President, Vice-President, Student Programs Officer, Communications Officer and Secretary-Treasurer;
- (3) **"Board" or "Board of Directors"** means the board of directors of the University Student's Council;
- (4) **"Executive Branch"** means the operations, initiatives and activities of the portfolios that are managed by the Executive;
- (5) **"General Manager"** means the most senior member of the permanent administrative staff, reporting directly to the Executive Council and fulfilling duties as described in by-law #4.
- (6) **"Head of Executive Branch"** means the President and CEO, who shall manage the General Manager day-to-day on behalf of the Board, who shall coordinate the affairs of the Executive Branch, and who shall represent the Executive Branch on the Council and the Board of Directors;
- (7) **"Legislative Branch"** means the Council and its standing committees;
- (8) **"Policies and Procedures", "Policy" and "Procedure"** includes any document approved by the Council that regulates the transactions and affairs of the Corporation, excluding any By-Laws and Letters Patent;
- (9) **"Strategic Vision"** means the Corporation's long-term strategic vision, which may also be referred to as a long-term strategic plan;

1.02 Other Definitions

The terms are defined in the context in which they appear and shall have the meanings therein indicated.

2.00 AMENDMENT OF THE BY-LAW

2.01 The By-Law shall be amended in compliance with the Procedure provided for within By-Law #1, and not contrary to the Act and the Letters Patent.

3.00 ELECTION – AUTHORITY

3.01 Elected by undergraduate students at large

- (1) There shall be a President and Vice-President, who shall be elected as a slate by undergraduate students at large in accordance with procedures established in By-Law #2 and who shall carry out all of the duties and responsibilities as established within their Terms of Reference and the By-Laws.
- (2) The President shall be responsible for regularly reporting on the activities of the Executive Branch to the Legislative Branch and to students at large.

3.02 Responsible to the Council

- (1) The President and Vice-President shall be directly responsible to the Council.
- (2) The President and Vice-President shall hold office consistent with the Corporation's By-Laws, contracts, policies and procedures, and legislated requirements.

3.03 Acting President of Vice-President

- (1) Temporary Absence
 - i. The President may appoint the Vice-President as Acting President who shall act during absences of the President, and shall have the authority to perform the duties of such office.
 - a. If the Vice-President is unable or unwilling to serve, the Vice-President External may be appointed by the President.
 - b. If the President becomes incapacitated or is unable to appoint an Acting President, the Vice-President shall assume the duties of the President. If the Vice-President is unwilling or unable to serve, the Vice-President External shall assume the duties of the President. If neither Vice-President is willing or able to serve, the Acting President shall be appointed in a manner determined by the Council.
 - c. The term of an Acting President may not exceed four (4) consecutive weeks without a resolution of the Council approved by a 2/3 vote. Without a resolution to extend the term, the office shall be deemed vacant at the end of four (4) consecutive weeks.
- (2) Vacancy
 - i. In the event that the position of President or a Vice-President becomes vacant, the position shall be filled in a manner determined by the Council and consistent with the By-Laws.

3.04 Head of the Executive Branch

- (1) This By-Law delegates authority to the President to act as Chief Executive Officer of the corporation, provide day-to-day supervision of the General Manager, facilitate team meetings of the Executive, provide leadership and guidance to the Vice-President, and, with the assistance of the Secretary-Treasurer, exercise general control of the financial and capital resources allocated to the Executive Branch.

4.00 RESPONSIBILITIES – GENERAL

4.01 Executive Branch Affairs

- (1) The President shall coordinate with the Executive the annual plans and priorities of the Executive Branch in accordance with the Council approved By-Laws, the Long-Term Plan, the Policies and Procedures and the annual budget and capital plan.

- (2) The President shall monitor and regularly report on the results of Executive Branch activities to the Council and shall coordinate with the Secretary-Treasurer to report on the financial performance of the Executive Branch.

4.02 Efficient Administration

- (1) The President shall be responsible for coordinating with the Executive to ensure the overall efficient operation of the Executive Branch.

4.03 Executive Branch Skill Development and Morale

- (1) The President shall be responsible for motivating the development and skills of the Executive, their Commissioners, Coordinators, Interns and volunteers to foster productivity, professionalism and high morale.

4.04 Coordinate and Communicate Executive Branch Plans, Programs and Results

- (1) The President shall coordinate and facilitate the development of plans and programs with the Executive and shall communicate an annual plan for the Executive Branch to students and the Legislative Branch no later than the end of October. The President shall also provide a formal update on Executive Branch results during a State of the USC speech, to occur no later than the end of March to the Legislative Branch and students.

4.05 Coordinate Policy Implementation

- (1) The President shall coordinate the Executive to ensure the implementation of policy directives approved by the Legislative Branch.

4.06 Recommendations to Council

- (1) The President shall organize, coordinate, and present to the Legislative Branch policy recommendations arising from Executive Branch operations which require approval of the Legislative Branch.

4.07 Progress Reports and Information to Council

- (1) The President shall present to the Legislative Branch, in cooperation with the Executive, reports and information regarding progress, challenges and accomplishments of programs and projects.

4.08 Evaluate Systems and Structures

- (1) The President shall direct periodic reviews of the governance, structural, management and internal communications systems of the Executive Branch, its structural, management and internal communication, and to report the outcome of those reviews and recommend action to the Legislative Branch for approval.

4.09 Regular Meetings with Vice-President and Officers

- (1) The President shall convene and conduct regular meetings of the Executive and other appropriate employees as required, to facilitate the coordination of Executive Branch activities. The President shall also meet one on one with Vice-President on a regular basis to facilitate collaboration and coordination of activities, and to identify resources and others supports that could assist the Vice-President in their work.

4.10 Resource Information and Executive Professional Development

- (1) The President shall work in collaboration with the General Manager to plan and deliver upon Executive Branch professional development and skill development needs, within defined budget and resource

restrictions, including the planning of the annual Executive Branch transition program for Executive and other volunteer staff.

4.11 Terms of Reference and Job Description

(1) The President and the Executive shall, without limiting the generality of the forgoing, perform the responsibilities and exercise the powers which are included in the President's Terms of Reference and job description.

4.12 Delegation of Executive Branch Duties

(1) The President and The Executive may delegate appropriate duties and responsibilities that fall within her mandate to other Executive, staff and volunteers; upon mutual agreement, the Executive may delegate duties to the President that fall within their Terms of Reference.

5.00 PERSONNEL ADMINISTRATION

5.01 Performance Management

(1) The President and Vice-President shall adhere to their responsibilities within the [Executive Officer Accountabilities and Discipline Process](#) and shall follow the guidelines within the process to address misconduct or work related performance issues of the Vice-President; the Vice-President shall do the same in relation to the President.

6.00 FINANCIAL ADMINISTRATION

6.01 Financial Results Administration

(1) The President shall ensure the Executive Branch financial results, in cooperation with the Secretary-Treasurer and any appropriate members of the Administrative staff, are administered in a sound and efficient manner within the guidelines set by the Legislative Branch and Executive Council and shall be deemed to include:

- i. Establishment of annual estimates of current revenues and expenditures of the Executive Branch; and;
- ii. Financial control over the approved Executive Branch budget appropriations.

6.02 Authorized Purchases, According to Policy

(1) The President in cooperation with the Secretary-Treasurer shall ensure that no Executive or agent of an Executive shall make any purchase, except for a purpose and in the sum authorized in the budget, conforming at all times to any prevailing purchasing policies as approved by the Board of Directors.

7.00 ORGANIZATIONAL – MANAGEMENT POLICY DEVELOPMENT

7.01 Reorganization of Executive Branch portfolios – Recommend

(1) The President shall submit, on behalf of the Executive Branch, periodic recommendations to the Legislative Branch for approval to create and re-organize such portfolios as may be considered necessary to accomplish the plans of the Executive Branch.

7.02 Mandates of Executive Branch portfolios – Recommend

(1) The President shall submit, on behalf of the Executive Branch, periodic recommendations to the Legislative Branch for approval concerning the mandate of Executive Branch portfolios.

By-Law #5: Executive

Section 1.01.2

- Replace "'Executive' means the President and the Vice-Presidents" with, "'Executive' means the President, Vice-President, Student Programs Officer, Communications Officer and Secretary-Treasurer"

Section 3.01.1,

- Replace "Vice-President External and Vice-President Internal" with "Vice-President"

Section 3.02,

- Replace all mentions of "Vice-Presidents" with "Vice-President"

Section 3.03.1.i,

- Replace all mentions of "Vice-President Internal" with "Vice-President"

Section 3.03.1.ii

- Remove this section (which includes ii, ii.a, ii.b)

Section 3.04

- Replace "Vice-Presidents" with "Vice-President"
- Replace "Vice-President Finance" with "Secretary-Treasurer"

Section 4.01.1

- Replace "Vice-Presidents" with "Executive"

Section 4.01.2

- Replace "Vice-President" with "Secretary-Treasurer"

Section 4.02

- Replace "Vice-Presidents" with "Executive"

Section 4.03

- Replace "Vice-Presidents" with Executive"

Section 4.04

- Replace "Vice-Presidents" with "Executive"

Section 4.05

- Replace "Vice-Presidents" with "Executive"

Section 4.07

- Replace "Vice-Presidents" with "Executive"

Section 4.09

- Replace "Vice-Presidents" with "Executive"

Section 4.11

- Replace "Vice-Presidents" with "Executive"

Section 4.12

- Replace "Vice-Presidents" with Executive"

Section 6.00

- Replace all mentions of "Vice-President Finance" with "Secretary-Treasurer"

