

FUTURE'S IN NEWFOUNDLAND AND LABRADOR'S YOUTH INC

FINALY!

Constitution and By-laws

Article 1 - Preamble

1.1 Mission statement

A dynamic youth driven organization, FINALY! empowers youth to be active participants in decision making and implementation. Our involvement in social and economic issues provides an opportunity for youth to build a viable future in Newfoundland and Labrador.

1.2 This constitution is intended to guide the internal management and governance of Futures in Newfoundland and Labrador's Youth.

1.3 Futures in Newfoundland and Labrador's Youth is incorporated as a non-profit organization, with no share capital, according to the Articles of Incorporation as outlined under the Corporation /act of the Province of Newfoundland and Labrador.

1.4 In the event of a procedural conflict among the provisions set forth in this document, members of Futures for Newfoundland and Labrador's Youth will be responsible for the democratic resolution of that conflict by specific measures deemed appropriate by the Futures for Newfoundland and Labrador's Youth Provincial Youth Council.

1.5 FINALY! acknowledges equality in its operations. Every effort will be made to prevent discrimination in all areas of conduct.

1.6 FINALY! to distribute surveys throughout its membership to begin the process of developing areas and timelines to create a strategic plan for the PYC to encourage accountability and goal setting within FINALY! and the PYC.

Article 2 – Terms

2.1 The name of the organization is “*Futures in Newfoundland and Labrador's Youth Inc*”, herein referred to as FINALY!

2.2 FINALY! shall be governed by a Board of Directors known as the Provincial Youth Council, herein referred to as the PYC.

2.3 The term meeting shall refer to: face to face; conference calls; or special meetings of FINALY! and/or the PYC. It shall not be interpreted as meetings of zonal youth councils, staff meetings, or subcommittees.

Article 3 – Objectives

3.1 The objectives of FINALY! are the following

- 3.1.1 To be effective representatives of youth in the province.
- 3.1.2 To encourage and coordinate youth involvement in the Regional Economic Development process.
- 3.1.3 To create a support network of and for youth, providing information concerning youth services, programs etc.
- 3.1.4 To promote the achievements of youth and to help create a prosperous future in Newfoundland and Labrador.
- 3.1.5 To develop pride in our heritage and culture of Newfoundland and Labrador.
- 3.1.6 To serve as the provincial youth group, offering support and advice to zonal youth councils.

Article 4 - Membership

4.1 Membership in FINALY! shall be open to all residents of the province between the ages 15 and 35 (inclusive) who support the aims and principles of FINALY!.

4.2 Additional non-voting membership may be awarded to individuals who contribute to the organization and have continued involvement with youth issues. Non-voting membership may include:

- 4.2.1 Honorary membership- individuals who have continued involvement with youth issues and items of interest; particularly individuals above the age of thirty-five (35).
- 4.2.2 Alumni membership – individuals who have been FINALY! members and passed the age of 35 who are still involved in the FINALY! movement.

4.3 Any individual may seek membership by completing a membership application

4.4 Voting rights of any FINALY! member may be suspended while employed by FINALY! or by other just cause if by majority vote of the PYC.

Article 5 – Provincial Youth Council (PYC)

5.1 The Provincial Youth Council shall consist of twelve (12) elected members representing four regions of the province as follows:

- 3 Labrador representatives (encompassing zones 1-5)
- 3 Western representatives (encompassing zones 6-10)
- 3 Central representatives (encompassing zones 11-15)
- 3 Eastern representatives (encompassing zones 16-20)

- 5.1.1 The immediate past chairperson shall also have the option of being the thirteenth member of the PYC for the year following the term as chairperson.
- 5.1.2 Federal or Provincial officials and local resource people may be invited to become ex-officio/non-voting members of the PYC. The PYC will appoint as required.
 - 5.1.2.1 Ex-officio members may be appointed to sub-committees, as required.
- 5.2 The PYC members representing the four regions of the province shall be elected by their regional membership groups at an Annual General Meeting. Each elected PYC member will be referred to as a regional representative (refer to 7.3.3 for electoral procedures).
- 5.3 A term shall be deemed to be one year.
- 5.4 PYC members are eligible for re-election at the end of a term.
- 5.5 At the PYC meeting immediately prior to the AGM, the current PYC can select by democratic vote, a maximum of six (6) PYC members to continue on for the following term. To a maximum of 3 consecutive terms
 - 5.5.1 Of the 6 identified in 5.5, none can be sitting in PYC replacement positions.
 - 5.5.2 No director can be elected for a term of office longer than 3 years. If a PYC member is elected in year one, and put forth as one of the six in year two and three, they must go up for election the following year. They can remain for any length of time, but they must be elected again after 3 years serving to comply with article 17.5 (3) of the Newfoundland and Labrador Corporations Act.
- 5.6 Any Provincial Youth Council member serving their 1st or 2nd term in an executive position may occupy said position for a period of two terms upon the approval of the majority of the PYC.
- 5.7 An individual will cease to be a PYC member as the result of:
 - 5.6.1 Failure to participate in meetings without just cause.
 - 5.6.2 Dismissal subject to 75% approval of the remaining PYC members.

5.8 Should a vacancy exist due to dismissal, resignation, illness of a PYC member, or through any other circumstances, the responsibility of replacing the position falls with the remaining regional representatives. Replacement positions must be recommended to the PYC for approval and appointment.

5.9 If a PYC member moves within a region, they may remain on the PYC representing region s/he was elected to.

5.10 If a PYC member will be absent from a region for two months or greater, they will take a leave of absence until they return to the region or until the next AGM.

5.11 A PYC member does not have to be a member of a youth council.

5.12 If from one region and running for a position in another region, the individual: loses the vote from the home region: and cannot vote in region entering.

Article 6 – Roles of PYC Members and PYC Executive

6.1 The role of the PYC shall be:

- 6.1.1 To appoint any person from within or outside the FINALY! membership to committees as it deems necessary to address specific requirements or expertise the committee may require to complete its task.
- 6.1.2 To have authority to hire staff, consultants, or enter into any other contractual arrangements necessary to achieve the objectives of FINALY!
- 6.1.3 To have the authority to dismiss any staff person for just cause.
- 6.1.4 To employ generally accepted practices for conducting the business of FINALY!, including public competitions, tender calls, interviews and qualification analysis and evaluations.
- 6.1.5 To develop and follow conflict of interest, hiring and remuneration guidelines for FINALY! activities.

6.2 The roles of the PYC members shall be:

- 6.2.1 To maintain communications and support zonal youth councils in their respective regions
- 6.2.2 To liaise between FINALY! and regional zonal youth councils
- 6.2.3 To help promote FINALY! throughout their region and province
- 6.2.4 To act on initiatives of the PYC and provide a direction to staff concerning decisions of the PYC.
- 6.2.5 To serve on ad hoc or standing committees to carry out any of the activities of FINALY!.

6.2.6 To uphold principles and values of the organization.

6.3 The executive of the PYC shall consist of:

- 6.3.1 Chairperson
- 6.3.2 Vice Chairperson
- 6.3.3 Secretary
- 6.3.4 Treasurer
- 6.3.5 Past Chairperson

6.3.5.1 The Past Chairperson shall be a non-voting member of the PYC Executive.

6.4 The PYC Executive shall be elected internally, from the PYC, at the Annual General Meeting, with the exception of the Past Chairperson.

6.5 PYC Executive members must be 19 years of age or older.

6.6 Roles and Responsibilities of the PYC Executive:

- 6.6.1 Chairperson
 - Shall organize and coordinate all affairs and business of the PYC.
 - Shall call and preside as chair over all FINALY! Meetings.
 - Facilitate collaborative decision making
 - Develop the meeting agenda with the executive, with input from the PYC and sub-committees.
 - Call, upon the request of three PYC members, special meetings of the PYC as necessary to accommodate the timing of special issues or challenges.
 - Lead responsibility for directing staff on behalf of the PYC.
- 6.6.2 Vice Chairperson
 - Shall carry out all duties jointly with the Chairperson and shall, in the absence of the Chairperson preside as chair over all FINALY! meetings.
 - Accept extra duties as required.
- 6.6.3 Secretary
 - Give notice of all meetings of the PYC.
 - Keep minutes of PYC, Executive and Special meetings
 - Distribute information to the PYC.
 - Perform other administrative duties as required.
 - Manage correspondence to and from the PYC.
- 6.6.4 Treasurer
 - Report quarterly to the PYC, the accounts of the FINALY!.

- Keep financial records.
- Will be one of the signing officers for FINALY!.
- Draft a budget and a tentative plan of expenditures, with assistance of the executive and staff.

6.6.5 Past Chairperson

- Responsible for maintaining continuity from one PYC to the next.
- Provides leadership and support for the Chairperson.
- Votes on issues involving a vote of the full PYC.

Article 7 – Meetings

7.1 Meetings of the PYC

- 7.1.1 The PYC shall make every effort to meet face to face no less than four (4) times a year and shall conduct any business necessary to accomplish the objectives of FINALY!.
- 7.1.2 The PYC shall make every effort to participate in conference calls no less than ten (10) times a year.
- 7.1.3 A simple majority of the PYC shall constitute a quorum at any PYC meeting. No business shall be transacted at any meeting unless a quorum of 50% + 1 of the PYC members are present.
- 7.1.4 Each PYC member shall have one vote. PYC members shall not vote by proxy.
- 7.1.5 The Chairperson shall vote only in the event of a tie.
- 7.1.6 The Past Chairperson shall be considered a regular voting member of the PYC.
- 7.1.7 Each PYC member is responsible for giving advance notice to either the Chairperson or the Secretary, a minimum of two days, in the event that they are unable to participate in a meeting.
- 7.1.8 It is the responsibility of each PYC member to contact the Secretary to receive information regarding the meeting missed.
- 7.1.9 Special meetings may be called by the executive or any three PYC members in consultation with the Chairperson.
- 7.1.10 After 90 minutes of discussion at any PYC or related meeting (committee/or exec, excluding Face-to-Face) a motion to continue beyond 90 minutes must be made, if voted yes to continue, it must be motioned every 30 minutes to continue. In the event that the meeting is motion to end, a further meeting must be rescheduled for within 7 days of meeting end.

7.2 Annual General Meetings

- 7.2.1 The Annual General Meeting shall normally be held within 12 months of the proceeding Annual General Meeting. The PYC shall be authorized to reschedule the Annual General Meeting for unforeseen circumstances. A minimum of 30 days notice, of Annual General Meeting date, must be provided to membership.

7.2.2 The PYC members shall convene an Annual General Meeting to include, but not limited to, the following:

- 7.2.2.1 Chairperson's report
- 7.2.2.2 Treasurer's report, including written final statement
- 7.2.2.3 Election of regional representatives to the PYC
- 7.2.2.4 Election of executive; the elected Executive shall take office at the close of the Annual General Meeting.

7.2.3 The election of the PYC shall be held at the Annual General Meeting and governed by the following:

- 7.2.3.1 Regional representatives are elected by voting delegates from their respective regions.
- 7.2.3.2 The election of the PYC must be by secret ballot. Successful candidate(s) will have received the majority of returns. If there is more than one vacancy, each voting delegate will vote for full number of vacancies on the one ballot.
- 7.2.3.3 In the event of a tie vote, voting shall continue between the tied candidates until a clear winner is decided.
- 7.2.3.4 Only the delegates selected by formal application process and notified will be the voting delegates during the AGM.
- 7.2.3.5 If only one person stands for election to one position, then that person shall be deemed elected by acclamation.
- 7.2.3.6 A motion shall be required to destroy all voting.

7.2.4 All reports, documents, statements in regards to functions of the AGM are available to members 30 days prior to AGM.

7.2.4.1 Exception may be made if all necessary documentation hasn't been properly forwarded to all membership

7.3 The PYC Executive shall be elected internally, from the PYC, with the exception of the Past Chairperson.

7.4 Meeting procedures

7.4.1 All meetings of the PYC and its sub-committees shall be governed using the Roberts Rules of Order.

7.4.2 Unless a poll is demanded by at least two PYC members, a declaration by the Chair that a resolution has been carried shall be sufficient of the fact.

- 7.4.3 If a poll is demanded, it shall be taken in a manner decided by the Chairperson and the result of such a poll shall be deemed as the decision.
- 7.4.4 All resolutions must be submitted to the PYC's reviewing committee 30 days prior to the AGM for review.

Article 8 – Committees

- 8.1 FINALY! sub-committees are responsible to the PYC.
- 8.2 FINALY! sub-committees shall be chaired by a PYC member.
- 8.3 PYC members may be appointed to committees.

Article 9 – Public Relations

- 9.1 The Chairperson, or designate, will be the PYC spokesperson for public announcements, advertisements and other media. The designate may be a PYC member, staff, or other FINALY! member.

Article 10 – Power to Use Funds

- 10.1 Any monies that accrue to FINALY! shall be used to further the objectives of FINALY!, and no member shall receive monies except for services rendered to FINALY!, where there is no conflict of interest (refer to 13.1)
- 10.2 The PYC shall approve rates of payment for:
 - 10.2.1 Travel expenses consistent with recognized approved rates.
 - 10.2.2 Salary and benefits for staff, consultants or other persons working on behalf of the PYC.
 - 10.2.3 All major (capital) purchases, leases, rentals, and contracts of an amount above \$250.
- 10.3 The Treasurer and any staff that might be handling money on behalf of the PYC shall be bondable.
- 10.4 The fiscal year for the PYC shall end march 31st of each year.

- 10.5 Budgets and tentative plans of expenditures shall be prepared under the direction of the PYC.
- 10.6 The PYC shall name an appropriate number of signing officers, of which two will sign at any time.

Article 11 – Constitutional Amendments

- 11.1 Motions to revise or change the Constitution and By-Laws may be made subject to majority approval at the Annual General Meeting.

Article 12 – Confidentiality

- 12.1 The PYC, from time to time, may consider certain matters confidential, including financial information, project proposals, or other issues. A PYC member who violates confidence shall be subject to discipline or dismissal following a three-quarter (75%) majority vote of all PYC members.

Article 13 – Conflict of Interest

- 13.1 Any PYC member who finds him/herself in a conflict of interest position where they could acquire direct or indirect financial gain, or otherwise, must remove him/herself physically from that portion of the meeting. Such a PYC member shall abstain from voting and will be considered absent for the purpose of quorum.

Last updates July 2010