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THE CONSTITUTION OF KABALE UNIVERSITY ACADEMIC STAFF ASSOCIATION (KABASA):

2018



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PREAMBLE

WHEREAS Kabale University Academic Staff (hereafter referred to as the Staff) are in need for an opportunity to work as a team in the interest of the individual persons and/ or common good and /or in the interest of the University.

REALIZING that section 68(1) of the Universities and Other Tertiary Institutions Act, 2001 provides for an Academic Staff Association in each Public University;

RECOGNISING that unity is strength and to associate is to create the necessary foundation for unity;

UNDERSTANDING that it is through cooperation that the staff shall attain their objectives;

MINDFUL of the need for collective bargaining when confronted by various challenges in the work environment;

KABALE UNIVERSITY ACADEMIC STAFF hereby resolve to form an Association to be known as Kabale University Academic Staff Association (**KABASA**).

ACRONYMS AND ABBREVIATIONS

| | | |
|--------|---|--|
| AGA | - | Annual General Assembly |
| EC | - | Executive Committee |
| GA | - | General Assembly |
| GAAM | - | General Assembly Annual Meeting |
| GAM | - | General Assembly Meeting |
| KAB | - | Kabale University |
| KABASA | - | Kabale University Academic staff Association |
| UOTIA | - | The Universities and Other Tertiary Institutions Act, 2001 |

ARTICLE I: NAME OF THE ASSOCIATION

The name of the Association shall be Kabale University Academic Staff Association (KABASA).

ARTICLE II: THE ASSOCIATION'S OFFICE AND ADDRESS

KABASA shall have its head office and address at Kabale University main campus at Kikungiri Hill and may establish sub-offices in the other campuses of the University.

ARTICLE III: OBJECTIVES OF THE ASSOCIATION SHALL BE TO;

- i. Take keen interest in promoting skills development and higher qualifications of University staff.
- ii. Consider and promote matters of academic interest in the University.
- iii. Promote mutual assistance and cooperation among members of the Association.
- iv. Carry out joint consultations with other academic bodies on matters of general academia.
- v. Promote productive scholarship and research especially that concerning Uganda and the rest of Africa.
- vi. Advance and protect occupational interest of the Association in relation to service to the University.
- vii. Take full interest in the affairs of the University and where applicable advise the Management on different matters of mutual concern.

ARTICLE IV: MEMBERSHIP

Membership of KABASA shall consist of the following categories: ordinary and honorary members.

- (a) Ordinary membership of the Association shall be open to all full-time academic staff of the University and shall consist of the following;
 - (i) Deans of Faculties and Schools;
 - (ii) Directors of Institutes, Colleges and Other Academic units;
 - (iii) Professors, Associate Professors, Senior Lecturers, Lecturers, Assistant Lecturers, the University Librarian and other Library staff designated as academic members of staff and
 - (iv) Such other persons as the University Council may designate, academic member of staff (**Section 51 (2) of the UOTIA**)

A person shall become a member after payment of membership fee prescribed by the General Assembly.

ARTICLE V: ORGANS OF THE ASSOCIATION

The Association shall comprise the following organs: The General Assembly, the Executive and Standing Committees.

- (a) There shall be a General Assembly of the Association. The General Assembly shall be the highest Governing Body of the Association. The General Assembly shall be the Assembly of all members of the Association including honorary members.
- (b) There shall be the Executive Committee. The Executive Committee of the Association shall be comprised of elected members of the Association to run matters of the Association on behalf of the General Assembly. The Executive Committee shall be comprised the following office bearers:
 - i. Chairperson
 - ii. Vice chairperson
 - iii. General Secretary
 - iv. Deputy General Secretary
 - v. Treasurer, and
 - vi. Five Committee members

ARTICLE VI: STANDING COMMITTEES OF THE ASSOCIATION

There shall be Standing Committees of the Association. The Standing Committees shall consist of the following: -

- i Chairperson appointed by the Executive committee from amongst themselves.
- ii. Four (4) members appointed by the General Assembly.
- iii. Standing committees should report to the executive committee.

The number of Standing Committees shall be determined by the General Assembly and shall include the

- (iii) The members to be elected shall be of good standing in the Association, the University and the public.

ARTICLE VIII: ELECTION OF THE ASSOCIATION'S OFFICE BEARERS

- (i) The officers of the Executive Committee shall be elected to office by the Annual General Assembly.
- (ii) The offices to be filled at elections shall be those stated in article V from(b)
- (iii) The election of a new Executive Committee shall be conducted, at least, one month before the expiry of the term of the outgoing Executive Committee.
- (iv) The vacant positions of the Association shall be announced and the information circulated to all members, at least, three (3) weeks prior to the General Assembly meeting.
- (v) Nomination and elections of office bearers shall be carried out at the same meeting. An intending member shall be nominated by one (1) member and seconded by two (2) other members.
- (vi) No member shall be allowed to nominate more than one (1) person to the same office
- (vii) Every member is entitled to only one vote for each office.
- (viii) The elected officers of the Association shall hold office for a term of two (2) years and shall be eligible for re-election for one more term.
- (ix) The election shall be carried out by secret ballot.
- (x) Only paid up members shall participate in the election either as candidates or voters.

ARTICLE IX: TERMINATION OF A MEMBER ON ELECTED POSITION OF THE ASSOCIATION'S GOVERNING OGRANS.

An elected member to the Association's Governing Bodies shall lose his/her position when any of the following occurs.

- (a) Ceasing to be a member of the Association
- (b) If he/she:
 - i. Becomes insane
 - ii. Gets involved in acts which damage the image of the Association.
 - iii. Disobeys and disregards rules and regulations of the Association
 - iv. Becomes in-disciplined as determined by the General Assembly.
 - v. Dies

ARTICLE X: RECALLING AN ELECTED MEMBER OF A GOVERNING BODY.

- (i) Members shall have the right to recall, at any time, any member of a Governing Body who does not carry out his/her duties and responsibilities to the satisfaction of the members.

- (ii) Such right shall be exercised by a petition to the Chairperson (or the Vice Chairperson in case the petition is against the Chairperson), at any time, provided the said petition bears names and signatures of not less than a third ($\frac{1}{3}$) of the members.
- (iii) When such a petition is received, a notice for a general meeting shall be publicized two weeks in advance to discuss the subject matter.
- (iv) The resolution to recall a member shall require a vote of two-thirds ($\frac{2}{3}$) majority of the members present.
- (v) This right of recall shall apply equally to the representatives of the Association to University Council, Senate, Appointments Board and any other organs of the University.

ARTICLE XI: DUTIES OF THE MEMBERS OF THE ASSOCIATION

1. Ordinary members shall:
 - a. Uphold and implement the objectives of the Association;
 - b. Carry out any other roles or duties as may be assigned to them, from time to time, by the General Assembly;
 - c. Uphold and defend the constitution and the image of the Association and;
 - d. Participate in the General Assembly Meetings.

ARTICLE XII: POWERS OF THE GENERAL ASSEMBLY

The General Assembly shall be the supreme body of the Association exercising the following powers:

- (i) Electing the executive and members of standing committees;
- (ii) Approving the Association's budget;
- (iii) Approving the Association's Constitution;
- (iv) Receiving and ratifying reports of Committees;
- (v) Appointing members to Ad hoc Committees;
- (vi) Approving rules and regulations of the Association;
- (vii) Ratifying any amendments to the Association's Constitution;
- (viii) Appointing and approving signatories to the Association's Bank Accounts;
- (ix) Appointing representatives to various University Governing organs;
- (x) Appointing Auditors and spelling out their terms of reference.

ARTICLE XIII: DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE COMMITTEE MEMBERS.

(1) The Executive Committee shall:

- i. Collectively be responsible for the effective and successful administration of the Association in accordance with its aims, objectives and the implementation of the recommendations of the General Meetings;
 - ii. Have the authority to co-opt any other members of the Association to the Executive Committee, to assist in fulfilling its duties specially to provide technical advice and services and;
 - iii. Convene meetings of the General Assembly.
- Committee members shall chair respective standing committees.

Duties specific to each office of the Executive Committee:

(a) The Chairperson shall:

- (i) Be responsible for the overall administration and welfare of the Association, particularly in promoting the interests of the members and the good name of the Association and University;
- (ii) Convene and preside over all the meetings of the Executive committee;
- (iii) Call, convene and chair General Assembly Meetings of the Association;
- (iv) Present Annual reports to the General Assembly Meetings covering all activities of the Association during his/her term.
- (v) Be ex-officio at all standing committees' meetings.

(b) The Deputy-Chairperson shall:

- (i) Assist the chairperson in the fulfillment of his duties of Association.
- (ii) Deputize for the chairperson in his/her absence or in case of inability to fulfill his/her duties as specified above.

(c) The General Secretary shall:

- (i) Be in charge and keep custody of the Association's instruments and documents;
- (ii) Be in charge of all the correspondences of the Association;
- (iii) Record and keep minute books of all Association's meetings;
- (iv) Keep an up-to-date register of members of the Association;
- (v) Be an alternative signatory to the Association's Bank Accounts
- (vi) Discharge such duties as assigned to him/her by the Chairperson or General Assembly.
- (vii) Issue notices of meetings of the General Assembly and Executive Committee.

(d) The Deputy General Secretary shall:

- (i) Assist the secretary in the fulfillment of his/her duties as specified above.
- (ii) Deputize for the General Secretary in his/her absence or in case of inability to fulfill his/her duties as specified above.

(e) The Treasurer shall:

- (i) Collect membership and subscription fees and other finances of the Association;
- (ii) Safely keep monies and other properties of the Association;
- (iii) Keep books of the Association's Bank accounts;
- (iv) Be principal signatory to Associations Bank Accounts;
- (v) Carry out any other such relevant duties as may be assigned to him/her by the Chairperson Executive Committee and/or General Assembly;
- (vi) Initiate the preparation of the Budget, and;
- (vii) Be ex-officio to the Finance Mobilization, Planning and Development Committee;

(f) Committee Members of Executive shall:

- (i) Attend Executive meetings;
- (ii) Play roles assigned by the Executive Committee and/or General Assembly and;
- (iii) Chair Standing Committees.

(2) Standing Committees shall of but not limited to the following:

Comprise the following: (a) Research and Publications, (b) Staff Welfare, (c) Finance Mobilization, Planning and Development, and (d) Public Relations

(a) The Research and Publications Committee shall:

- (i) Consider and promote matters of academic interest in the University;
- (ii) Carry out joint consultations with other academic bodies on matters of general academia;
- (iii) Encourage and maintain academic professionalism in the University;
- (iv) Co-operate and promote exchange between members of KABASA and members of Associations of other institutions of higher learning;
- (v) Promote research and publications for academic growth;
- (vi) Support and promote exemplary and excellence scholarship, and;
- (vii) Perform any other duties as may be assigned by the Executive Committee.

(b) The Staff Welfare Committee shall:

- (i) Advance and advocate for promotion of the occupational interests of members of the Association;

- (ii) Promote the relationships between the Association and other organs in the service of the university;
- (iii) Advance and promote welfare and social interest of the members of the Association;
- (iv) Carry out collective bargaining with concerned authorities on behalf of the Association;
- (v) Instill/ inculcate and promote discipline among the members of the Association and;
- (vi) Perform any other duties as may be assigned by the Executive Committee.

(c) The Finance, Mobilization, Planning and Development committee shall:

- (i) Budget for the finances of the Association;
- (ii) Solicit funds for running the affairs of the Association;
- (iii) Carry out fundraising functions to mobilize funds for Association's activities;
- (iv) Negotiate with authorities concerned on matters of budget lines adjustments;
- (v) Advise on the incomes and expenditures of the Association;
- (vi) Work out and implement strategies of raising funds for the Association;
- (vii) Formulate policies to enhance and facilitate the fulfillment of the association's objectives;
- (viii) Co-ordinate an integrated approach for the activities of the Association;
- (ix) Advise University Management on standards and quality assurance infrastructures for enhancement of quality teaching and learning;
- (x) Actively participate in matters of curriculum monitoring and evaluation;
- (xi) Oversee the planning and development of the University structures, and;
- (xii) Perform any other duties as may be assigned by the Executive Committee.

(d) The Public Relations Committee shall.

- (i) Keep members fully informed of the activities of the association;
- (ii) Advance and promote the interests of the Association among members and promoters;
- (iii) Cultivate and maintain collaboration and co-operation between members;
- (iv) Project and present a good image of the Association and University among other universities and institutions of higher learning;
- (v) Be the mouth piece of the Association, and
- (vi) Perform any other duties as may be assigned by the Executive Committee.

ARTICLE XIV: MEETINGS OF ORGANS OF THE ASSOCIATION

The organs of the Association shall carry out three types of meetings: Ordinary, Extra Ordinary, and Emergency meetings.

(a) General Assembly Meetings

There shall be Annual General meetings of the General Assembly.

The Annual General Assembly meeting shall be held once a year. There shall be other meetings of General Assembly called and convened as extra ordinary meetings as and when necessary.

The Annual General Assembly Meetings shall require a notice of twenty-one (21) days. The quorum at the annual General shall be two thirds ($\frac{2}{3}$) of paid up members.

The Extra ordinary meeting of the General Assembly shall require seven (7) days' notice and quorum two thirds ($\frac{2}{3}$) of the members.

The emergency meeting of the General Assembly shall require a three (3) days' notice and a quorum half ($\frac{1}{2}$) of the paid-up members

i) Business to be transacted at the AGA, shall include:

- Confirmation of Previous Minutes;
- The Treasurers Report;
- Appointment of Auditors;
- Presentation of Audited Accounts;
- any business in the form of a motion submitted in writing to the Executive Committee by a member entitled to vote, not less than thirty (30) days before the date of the meeting.
- Any other items the Executive may decide.

No business shall be transacted at any General Assembly unless a Quorum of members is present.

- a) The Quorum shall be two thirds ($\frac{2}{3}$) of the subscribed members;
- b) If a quorum is not constituted, the meeting shall be adjourned to the following week; and if at the adjourned meeting the two thirds ($\frac{2}{3}$) is not realized, the members present shall constitute a quorum.
- c) At any General Assembly, a resolution put to the Vote of the meeting shall be decided on by a show of hands unless a secret poll is demanded.
- (i) Voting by proxy has to be communicated to the General Secretary in writing fifteen (15) days before the election date.

(b) Meetings of the Executive Committee

The Executive Committee shall hold ordinary meetings as planned, but in any case, should not exceed two (2) meetings per semester.

The Executive Committee can hold extra ordinary meetings when called for, but in any case, they should not exceed one (1) meeting per semester. The Executive Committee can also call and convene emergency meetings when need arises.

The ordinary meeting of the Executive Committee meetings shall require a notice of seven (7) days and a quorum of two thirds ($\frac{2}{3}$) of the members.

The extra ordinary meetings of the Executive Committee shall require seven (7) days' notice and a quorum of two thirds ($\frac{2}{3}$) of the members.

The emergency meetings of the Executive Committee shall require three (3) days' notice and a quorum half ($\frac{1}{2}$) of the members.

(c) Meetings of Standing Committees

Standing Committees shall each hold meetings prior to the Executive Committee ordinary meetings to discuss and prepare matters to be considered at the Executive Committee meetings. They can also each hold extra ordinary meetings in their area of operation as and when necessary.

Meetings of the standing committees require a notice of seven (7) days to convene and quorum of two thirds ($\frac{2}{3}$) of the members.

The extra ordinary meetings of the Standing Committees shall require three (3) days' notice and quorum of two thirds ($\frac{2}{3}$) of the members.

ARTICLE XV: FINANCES OF THE ASSOCIATION.

The Association's finances shall be mobilized from different sources and disbursed in different activities and proper management arrangements put in place: (a) sources of Association's funds (b) disbursement of Association's funds (c) management of the Association's funds.

- (a) Incomes of the Association shall be expected and come from the following sources:
 - (i) Kabale University Contributions;
 - (ii) Membership fees;
 - (iii) Annual subscriptions and any contributions from members;
 - (iv) Donations to the Association;
 - (v) Grants and gifts to the Association;
 - (vi) Fund raising activities, and;
 - (vii) Contributions from members publications.
- (b) Disbursement of Association's Funds
 - (i) The Executive and standings committees shall plan for the expenditure of the Association's funds.
 - (ii) The General Assembly shall examine and approve the planned expenditure budget of the Association.
- (c) Management of the Association's Funds
 - (i) The Association shall maintain a bank account in a reputable Bank for its finances.

- (ii) The Executive Committee shall select the bank and take the decision to the General Assembly for approval.
- (iii) The Association shall keep audited books of accounts.
- (iv) A General Assembly Meeting of the Association shall elect an auditor provided he/she is not a member of the Executive Committee of the Association.
- (v) The General Assembly shall appoint signatories to the Association's Accounts from among the members.
- (vi) The Association shall expect and receive accountability of the funds spent.
- (vii) The Association shall not accept liability for financial transactions undertaken without due authority of the General Assembly.

(d) Audit

- i. The Executive Committee shall ensure that there is an annual Audit of the Associations Accounts.
- ii. The Association shall appoint external auditor(s) to audit the Accounts.
- iii. The Audit Financial Statement shall be presented at the Annual General Assembly.

ARTICLE XVI: ASSETS OF THE ASSOCIATION

- 1. The Association shall have all types of assets that are necessary for the smooth running of Association's activities.
- 2. The Executive committee shall have the authority and responsibility over all the assets of the Association.
- 3. The Secretary shall keep an inventory of all the Association's assets.
- 4. The Chairperson shall always include a detailed statement on the assets of the Association in all his/her reports to the Annual General Meeting.

ARTICLE XVII: CESSATION OF MEMBERSHIP

- (a) Membership of ordinary members of the Association shall cease when:
 - (i) A member ceases to be an academic member staff of Kabale University.
 - (ii) When a member of staff fails to comply with the rules and regulations of the Association.
 - (iii) A member dies.
- (b) Honorary Members of Association
 - (i) Membership ceases when the member no longer shows interest in matters of the Association.
 - (ii) Membership to the Association ceases when the member fails to subscribe to the Association.

When membership to the Association ceases all benefits arising from the membership are forfeited.

ARTICLE XVIII: CONSTITUTION SUPEREMACY AND ITS INTERPRETATION

1. This Constitution shall be the supreme law of the Association unless it conflicts with the Constitution of Uganda 1995, laws of the Republic of Uganda or Kabale University Statutes in which case the latter shall prevail.
2. The Chairperson with the support of the Executive shall have the authority to interpret any provisions of this Constitution.
3. The Chairperson's interpretation of the Constitution may be challenged by any member of the Association.
4. In the event of the chairperson's interpretation is challenged, the issue shall be put to vote at a General Assembly Meeting.
5. Resolutions to such matters shall require a vote of two-thirds ($\frac{2}{3}$) majority of members present

ARTICLE XIX: AMENDMENT OF THE CONSTITUTION

1. Any member or members of the Association may move and have his/her motion seconded to amend any provision of the Constitution.
2. A meeting at which an amendment of the Constitution is to be discussed shall require at least two (2) weeks' notice to the members.
3. A motion of amendment of the Constitution shall require a vote of two-thirds ($\frac{2}{3}$) majority of all members present.

ARTICLE XX: STANDING ORDERS OF THE ASSOCIATION

The General Assembly shall formulate and implement standing orders for the Association. The General Assembly and the Executive Committee of the Association shall determine, and vary, their own standing orders from time to time.

Declared and adopted this.....day of..... 2018.

.....

CHAIRPERSON

.....

GENERAL SECRETARY

CRITERIA FOR STAFF REPRESENTATION ON THE UNIVERSITY GOVERNING BODIES

a) Academic Staff on Council

The person shall:

- i. Be elected from amongst the Association members
- ii. Be at least at the rank of Senior Lecturer.
- iii. Have served in the position of Senior Lecturer or above for at least four (4) years, two (2) of which must be at Kabale University.
- iv. Have proven record of knowledge about the development, staffing needs and operations of the University.
- v. Have proven record of compliance with the University Code of Conduct.

b) Academic Staff on Senate:

The person shall:

- i. Be elected from amongst the Association members
- ii. Be at least at the rank of Senior Lecturer or equivalent
- iii. Have served in the position of Senior Lecturer for at least four (4) years, two (2) of which must have been at Kabale University
- iv. Have proven record of compliance with the University Code of Conduct

c) Administrative Staff/Non-Academic Staff on Council

The person shall:

- i. Be elected from amongst the Association members
- ii. Be a holder of at least a Master's degree
- iii. Be at least at the rank of Senior Administrative Officer or equivalent
- iv. Have served in the position above for at least four (4) years, two (2) of which must have been at KAB
- v. Have proven record of compliance with the University Code of Conduct



On Senate

- i. Be elected from amongst the Non-Academic Staff Association members
- ii. Be at least at the level of Senior Administrative Officer or equivalent
- iii. Be a holder of at least a Master's degree
- iv. Have served in the position of Administrative Officer for at least four (4) years, two (2) of which must be at Kabale University
- v. Have proven record of compliance with the University Code of Conduct

d) Convocation on Council

The person shall:

- i. Be elected from amongst Convocation members
- ii. Be a holder of at least a Master's Degree
- iii. Have proven record of good standing in the Public
- iv. Be a member of the Alumni who is not a serving member of staff at the University

e) Convocation on Senate

- i. Be elected from amongst Convocation members
- ii. Be a holder of at least a Master's Degree attained at Kabale University
- iii. Have proven record of good standing in the Public
- iv. Be a member of the Alumni who is not a serving member of staff at the University

f) NUEI Representative on Council:

The person shall:

- i. Be elected from amongst the Union members
- ii. Be a holder of at least a Diploma
- iii. Have served the University for at least two (2) years
- iv. Have proven record of compliance with the University Code of Conduct

g) Senate Representative on Council:

The person shall:

- i. Be elected by Senate from amongst its members
- ii. Be at least at the rank of Senior Lecturer, or equivalent
- iii. Have served the University for at least two (2) years
- iv. Have at least four (4) years' experience in the welfare and management of students in a tertiary institution
- v. Have proven record of compliance with the University Code of Conduct.

h) Affiliate/Constituent Colleges on Senate:

As provided for in the Universities and Other Tertiary Institutions Act, the persons shall be:

- (i) The Principal and,
- (ii) The Chairperson of the Academic Board shall be Senate members.