

# COLLEGE OF MEDICAL LABORATORY TECHNOLOGISTS OF MANITOBA

## BY-LAWS

### ARTICLE I: ADMINISTRATION OF THE COLLEGE OF MEDICAL LABORATORY TECHNOLOGISTS OF MANITOBA (CMLTM)

#### I. Head Office

The head office of the College shall be located in Manitoba.

#### II. Seal

The seal of the College shall remain in the head office of the College.

#### III. Agents and Employees

3.1 The Council may appoint or employ any persons as are necessary to assist the Council in the performance of its duties under *The Medical Laboratory Technologists Act* and the regulations and shall establish their duties and remunerations.

3.2 The Registrar, appointed by the Council, shall have charge of the office of the College and generally conduct the affairs of the College in accordance with the direction of the Council.

The Registrar shall be an ex-officio member of the Council and of such committees as the Council deems appropriate, in a non-voting capacity.

3.3 An acting registrar shall be appointed by the Council as required as outlined in 51(1) (n) of *The Medical Laboratory Technologists Act*.

#### IV. Banking and Financial Affairs

4.1 The signing authorities of the College shall be

- a) the Registrar and two of the Officers of the Council of which any 2 of the 3 may sign on behalf of the College;
- b) any of the above may sign on behalf of the College;

4.2 All contracts, documents and instruments in writing so signed shall be binding on the College.

- 4.3 The Council may invest revenue and such investment shall be registered in the name of the College.
- 4.4 An accountant shall be appointed by the Council.
- 4.5 Each year the Annual General Meeting shall appoint an auditor. The Auditor shall prepare and submit to each annual meeting of the College an audited financial statement of operations of the College for the past year.
- 4.6 The members of the Council, board and committees thereof may be paid an allowance for traveling and living expenses while engaged in the business of the Council.
- 4.7 The amount of the allowance shall be determined by the Council.
- 4.8 The Council may set remuneration, fees and expenses payable to members of the Council or of committees, or boards for attending to the business of the College.
- 4.9 All persons with signing authority or access to funds shall be bondable.

## **V. *Fiscal Year***

*The fiscal year of the College shall be from January 1<sup>st</sup> to December 31<sup>st</sup> of the same year.*

## **ARTICLE II: MEMBERS**

The rights, privileges and obligations of the classes of members are:

### **I. Practicing Members:**

- 1.1 Shall pay the annual fee and any other fees as applicable.
- 1.2 Are entitled to practice Medical Laboratory Technology in Manitoba.
- 1.3 Shall receive full voting privileges and all privileges extended by the College.
- 1.4 Are eligible for election or appointment to any position within the College.
- 1.5 Are entitled to attend and generally participate in College meetings.
- 1.6 Are entitled to receive copies of official College publications.

## **II. Inactive Members:**

- 2.1 Shall pay an annual fee and any other fees as applicable.
- 2.2 Are not eligible to practice Medical Laboratory Technology.
- 2.3 Are not eligible to use the title MLT, represent or hold out, expressly or by implication that they are a medical laboratory technologist.
- 2.4 Shall receive full voting privileges and all privileges extended by the College.
- 2.5 Are eligible for election or appointment to any position within the College.
- 2.6 Are entitled to attend and generally participate in College meetings.
- 2.7 Are entitled to receive copies of official College publications.

## **III. Temporary Practicing Members:**

- 3.1 Shall pay the initial processing fee.
- 3.2 Are entitled to practice as specified in the regulations.
- 3.3 Are not eligible to vote or to be elected or appointed to any position within the College.
- 3.4 Are entitled to attend and generally participate in College meetings.

## **IV. Conditional Registration Members**

- 4.1 Shall pay the annual fee and any other fees as applicable.
- 4.2 Are entitled to practice Medical Laboratory Technology under direct on-sight supervision as specified in the regulations and according to the policy and procedures of the College.
- 4.3 Are not eligible to be elected or appointed to any position within the College.
- 4.4 Are entitled to attend and generally participate in College meetings.

## **V. Student Members:**

- 5.1 Shall pay the applicable student fee.

- 5.2 Are entitled to practice Medical Laboratory Technology under direct on-sight supervision.
- 5.3 Are not eligible to vote or to be elected or appointed to any position within the College.
- 5.4 Are entitled to attend and generally participate in College meetings.
- 5.4 Are entitled to receive copies of official College publications.

#### **VI. Honorary Members**

- 6.1 Honorary membership may be granted by Council on any person who has made a significant contribution to the profession of Medical Laboratory Technology.
- 6.2 Shall be exempt from annual dues.
- 6.3 Are not eligible to practice Medical Laboratory Technology, including the use of the MLT title.
- 6.4 Are not eligible to vote or to be elected or appointed to any position within the College.
- 6.5 Are entitled to attend and generally participate in College meetings.
- 6.6 Are entitled to receive copies of official College publications.

#### **VII. Retired Members:**

- 7.1 Shall pay an annual fee and any other fees as applicable.
- 7.2 Are not eligible to practice Medical Laboratory Technology.
- 7.3 Are not eligible to use the title MLT, represent or hold out, expressly or by implication that they are a medical laboratory technologist.
- 7.4 Shall receive full voting privileges and all privileges extended by the College.
- 7.5 Are eligible for election or appointment to any position within the College.
- 7.6 Are entitled to attend and generally participate in College meetings.
- 7.7 Are entitled to receive copies of official College publications.

## **VIII. Obligations of Membership**

All members shall:

- 8.1 Notify the Registrar of change in name, mailing address, place of employment and membership status;
- 8.2 Practice Medical Laboratory Technology in accordance with the code of ethics, Standards and Practice Directives of the College;
- 8.3 Provide information respecting their suspension/dismissal from their position;
- 8.4 Answer all correspondence from the College in which a reply is requested, within 15 days or the deadline specified in the correspondence, unless an extension is granted by Council.
- 8.5 Each member shall accurately complete and return the required annual renewal for providing such information as may be requested including:
  - a. information required to be maintained in the register of the College;
  - b. information respecting their participation in the continuing competency program;
  - c. information respecting the nature of the medical laboratory services provided in Manitoba where the member principally engages in the practice of Medical Laboratory Technology;
  - d. information that relates to the professional characteristics and activities of the member that may assist the College in carrying out its objects; and
  - e. information for the purposes of compiling statistical information to assist the College in fulfilling its objects;
  - f. information respecting professional liability insurance coverage as required in the regulations.

## **ARTICLE III: FEES**

- 1.1 The Registrar shall send notification of fees payable for the ensuing year at least 90 days prior to the 1<sup>st</sup> of January of each year.
- 1.2 The membership fees of the College as determined by the Council shall be:

- a) an initial application administration fee;
  - b) an annual fee;
  - c) a reinstatement of registration fee;
  - d) a late fee of 20% of the annual fee;
  - e) a processing fee for curriculum review when such a review is required.
- 1.2.1 For new applications received on or after June 1<sup>st</sup>, the annual fee for that year, for practicing and conditional members shall be half the annual fee.
- 1.3 The membership year of the College shall commence on the 1st day of January and terminate on the 31st day of December each year.
- 1.4 The application administration fee for enrollment and membership in the College shall be the processing fee plus the annual fee.
- 1.5 Should an application be refused or withdrawn, the application administration fee only shall be retained by the College.
- 1.6 Where the payment of the annual fee is not received on or before November 15<sup>th</sup>, a late fee of 20% of the annual fee will be assessed:
- a) within 15 working days after the due date, a letter sent by registered mail or by other service that provides the sender with proof of delivery, shall be sent to each member at their last recorded address advising them of the fact that they are in arrears and of the penalty involved;
  - b) upon receipt of the annual fee plus a late fee of 20% of the annual fee, the Registrar shall consider the individual as being in good standing with the College.
- 1.7 where payment is not received by December 31<sup>st</sup>, the Registrar shall suspend that individual for non-payment of fees and shall notify the individual and the individual's most current employer of that suspension;
- a) to be reinstated the person shall pay the current year's annual fee plus a reinstatement of registration fee of \$100.00.
- 1.8 Any member applying to have their name transferred between registers shall pay the difference between the fees paid and the annual fee due on the new register for the current year.
- 1.9 There will be no refund of fees except as described in 1.5 of this Article.

#### **ARTICLE IV: MEETINGS**

## **I. Annual General Meeting**

- 1.1 An Annual General Meeting (AGM) of the College shall be held each year at a time and place to be fixed by the Council.
- 1.2 Written notice shall be sent to every Council member and to every member of the College at their last recorded email address 30 days prior to the date of the Annual General Meeting. A copy of the agenda for the meeting shall be emailed with such notice.
- 1.3 The agenda for the Annual General Meeting shall be prescribed by the Council and shall include provision for any business or resolution which may be introduced from the floor of the meeting by any member. Any motions or resolutions brought forward from the floor are referrals to the Council for consideration.
- 1.4 The quorum for an Annual General Meeting of the College shall be whoever attends and is entitled to vote..
- 1.5 At the Annual General Meeting there shall be reports presented by the chair, treasurer and the registrar of the College and such committees or boards as the Council deems necessary.
- 1.6 An audited financial statement of the College shall be presented at the Annual General Meeting.

## **II. Special Meetings**

- 2.1 A special meeting of the College may be called by the Council at any time and shall be called if so requested in writing by 5% of the membership of the College who are entitled to vote.
- 2.2 The business to be transacted at a special meeting shall be limited to that specified in the notice thereof.
- 2.3 Email notice of a special meeting of the College shall be sent to every Council member and every member of the College 30 days prior to the date of the meeting and the business to be transacted shall be specified in such notice.
- 2.4 The quorum for a special meeting of the College shall be 20% of the membership of the College who are entitled to vote.

## **III. Voting at Annual and Special Meetings**

- 3.1 Each member whose name is entered on the CMLTM register as Active or Inactive members and who is in good standing at the date of the meeting shall be entitled to vote on any issue to be determined by a vote.
- 3.2 Mail ballots may be issued only for questions that cannot be amended at the meeting.
- 3.3 For adoption of any issue, a majority vote of those members present and voting as well those who have mailed ballots shall be required.
- 3.4 Each member shall be requested to present their current membership certificate as evidence of their entitlement to vote.
- 3.5 A vote may be taken by ballot or by a show of hands at the discretion of the chair.
- 3.6 The chair of the meeting shall appoint from amongst those assembled, three scrutineers who shall tabulate the vote and report the results to the chair.
- 3.7 In the event of a tie vote, the chair of the meeting shall cast the deciding vote.

#### **IV. Electronic Meetings**

- 4.1 Any member may participate in meetings of members by any electronic means. All participants, however, must have the opportunity for simultaneous aural communication and be able to communicate adequately with each other. Members participating in such meetings are deemed to be present, including for the purpose of quorum.

#### **V. Postponement/Cancelation**

- 5.1 In the event of an emergency, declared by the Federal or Provincial Government, the Council by a two-thirds vote may postpone/cancel any membership meeting, mentioned herein. All members shall be notified of the postponement/cancelation in a manner determined by the Council to be fair and reasonable under the circumstances.

#### **VI. Recording of Meeting**

- 6.1 Minutes shall be taken at annual and special meetings and be circulated to the membership within 90 days of the meeting.

#### **VII. Meetings of the Council**

- 7.1 Regular meetings of the Council shall be held as determined by the Council. There shall be no less than four meetings per year.



- 7.2 Written notice of all meetings of the Council stating the business to be transacted shall be given to each member of the Council not less than 7 days before the meeting.
- 7.3 A meeting of the Council may be held without notice if all members of the Council have waived notice.
- 7.4 A majority of the Council, one of whom should be a public representative, shall constitute a quorum for the transaction of business.
- 7.5 Council members may participate in Council meetings by any electronic means. All participants, however, must have the opportunity for simultaneous aural communication and be able to communicate adequately with each other. Members participating in such meetings are deemed to be present, including for the purpose of quorum.

## **ARTICLE V: ELECTION OF THE COUNCIL**

- 1.1 The Council shall consist of at least six elected members and three appointed public representatives.

### **I. Elected Members:**

- 1.1 Election of the Council from the membership shall be held concurrently with the Annual General Meeting of the College.
- 1.2 Council terms will be three years in length, and elections of one third of the councilors shall take place every year. All councilors shall have terms of three years from the date of their election.
- 1.3 The Council may establish rules regarding nomination of candidates for election to the Council, the manner of voting for Council members, and the conduct and regulation of Council members.
- 1.4 Only those members on the active and inactive register who are in good standing with the College at the date of election are eligible for election or appointment to any position within the College.
- 1.5 Only members on the active and inactive register who are in good standing with the College at the date of the election shall be entitled to vote for the election of Council members and may vote for as many candidates as there are vacancies on the Council.
- 1.6 Any member eligible to vote that follows the appropriate procedures outlined by the Council may submit a mail-in ballot for the election of Council members.

- 1.7 The elected Council members shall be announced and take office by the chair of the Council at the Annual General Meeting or on a date fixed by Council.

## **II Public Member Appointments:**

- 2.1 Three public representatives from the roster of public representatives shall be appointed by the Council for a three year term.
- 2.2 The public representatives shall take office for a three year term following the Annual General Meeting or on a date fixed by Council.

## **ARTICLE VI: COUNCIL MEMBERS**

### **I. Term of Office**

- 1.1 All councilors shall be elected for a term of three years. They are eligible for re-election or re-appointment for 2 consecutive terms unless there are no other eligible members in good standing wishing to be nominated in which case the Council may, by a majority vote, allow councilors to be eligible for re-election or re-appointment for an additional term.
- 1.2 When an elected position on Council becomes vacant the Council shall appoint a member of the College to fill the vacancy for the balance of the term of office vacated.
- 1.3 When vacancies on the Council are more than 50% of elected members, the remaining members shall call an election to fill the vacancies.
- 1.4 When a position of public representative becomes vacant, the Council shall appoint a public representative to fill the vacancy for the balance of the term of office vacated.
- 1.5 The Council may appoint ex-officio members in a non-voting capacity to the Council.

### **II. Removal from the Council**

- 2.1 The Council may, by a majority vote, remove a Council member if:
  - a) they consistently fail or refuses to perform the duties assigned to them by the chair or vice-chair of the Council;
  - b) they consistently fail or refuses to adhere to *The Medical Laboratory Technologists Act*, regulations, by-laws or code of ethics;

- c) they are absent from more than 3 meetings of the Council between Annual General Meetings; the Council shall consider extenuating circumstances;
- d) their membership is allowed to lapse, is suspended or revoked.

### **III. Officers of the Council**

- 3.1 At the first Council meeting following the Annual General Meeting, the Council shall select from amongst its members a treasurer, either a chair and a vice-chair, or two co-chairs, all of whom shall be members of the College and such other officers as it may see fit.
- 3.2 The chair or co-chairs shall:
  - a) preside at all meetings of the College and the Council;
  - b) ensure that all orders and resolutions of the Council are put into effect;
  - c) exercise general supervision over the affairs of the College.
- 3.3 The vice-chair shall:
  - a) preside at all meetings of the College in the absence of the chair;
  - b) in the event of the chair's inability to act shall assume the office of the chair and serve as such for the balance of the term remaining to the chair.
- 3.4 The treasurer shall:
  - a) have general control of all budgets, financial transactions, etc. on behalf of the College;
  - b) ensure that an audited financial statement of operation of the College is prepared and submitted to each annual meeting of the College.
- 3.5 Vacancies among all officers except the chair shall be filled by appointment of an incumbent Council member to hold office until the end of the term of the vacated office.

## **ARTICLE VII: COMPLAINTS COMMITTEE AND INQUIRY COMMITTEE**

- 1.1 The Council shall annually appoint a complaints committee and inquiry committee as set out in Sections 17 and 31 of *The Medical Laboratory Technologists Act*.
- 1.2 Chairs of these committees shall hold office for one year and shall be eligible for reappointment with the proviso that no person is at any time chair of more than one committee.
- 1.3 The committee chair or Council shall appoint ad-hoc members and ex-officio members in a non-voting capacity as required from time to time.
- 1.4 Vacancies on these committees shall be filled by Council appointment for the remainder of the term. The committee should consist of no less than three (3) members.
- 1.5 At least 1/3 of the members of the Complaints Committee and Inquiry Committee must be public members.
- 1.6 Public representatives, from the roster of public representatives, shall be appointed for a three year term from the roster of public representatives established under subsection 6(4) of *The Medical Laboratory Technologists Act* by the Minister of Health.

#### **ARTICLE VIII: COMMITTEES**

- 1.1 The Council may establish such committees, as it deems necessary to fulfill the objectives of the College.
- 1.2 The Council shall establish the following standing committees:
  - a) Board of Assessors;
  - b) Nominating Committee;
  - c) Continuing Competency Committee.
- 1.3 The Council shall establish terms of reference for all committees.
- 1.4 The activities of all committees shall be under the direction of the Council and all recommendations of the committees are subject to Council approval.
- 1.5 The Council shall appoint the chair of all committees.
- 1.6 Chairs of standing committees shall hold office for 1 year and shall be eligible for reappointment, provided that no person may at any time be chair of more than one committee.

- 1.7 Each committee shall consist of a chair and not less than two members of the College representing as broad a spectrum of membership types and geographical areas as possible.
- 1.8 Members of all committees shall be appointed by the chair of that committee, subject to Council approval. The Council may, by a majority vote, remove a member from a committee if:
  - a) he/she consistently fails or refuses to perform the duties assigned to him/her by the chair of the committee/board;
  - b) he/she consistently fails or refuses to adhere to *The Medical Laboratory Technologists Act*, regulations, by-laws or code of ethics;
  - c) he/she is absent from more than 3 meetings of the committee/board between Annual General Meetings; the Council shall consider extenuating circumstances;
  - d) their membership is allowed to lapse, is suspended or revoked.
- 1.9 The chair of each committee shall give reasonable notice of each meeting of their committee and a majority of the committee members shall constitute a quorum.
- 1.10 Minutes of committee meetings shall be taken at every meeting and submitted to the College office.
- 1.11 The chair shall report to the Council on activities of the committee on a regular basis.
- 1.12 Vacancies on any committee shall be filled by appointment by the Council for the remainder of the term.
- 1.13 Ex-officio members may be appointed to committees by the Council as required in a non-voting capacity.

## **ARTICLE IX: REGULATIONS**

- 1.1 Regulations must be brought to the membership for a vote at an Annual General Meeting or special meeting called for that purpose.
- 1.2 Regulations to be brought forward shall be circulated to all members thirty days prior to the meeting.
- 1.3 A regulation brought to the membership may be approved or repealed by a majority of the members of the College:

- a) present and voting at a general meeting;
  - b) voting in a mail vote or other method of voting conducted in accordance with the by-laws.
- 1.4 A regulation brought to the membership may be amended by a majority of the members of the College, present and voting at a general meeting.
- 1.5 Regulations approved by the membership shall be taken to the Lieutenant Governor in Council.

#### **ARTICLE X: AMENDMENT OF BY-LAWS**

- 1.1 These by-laws may be amended or repealed by a majority of members of the College, after which notice has been given by members:
- a) present and voting at a general meeting; or
  - b) voting in a mail ballot or other method of voting conducted in accordance with the by-laws.

#### **ARTICLE XI: PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the College in all cases to which they are applicable and in which they are not inconsistent with these by-laws, the Act and any special rules of order the College may adopt.